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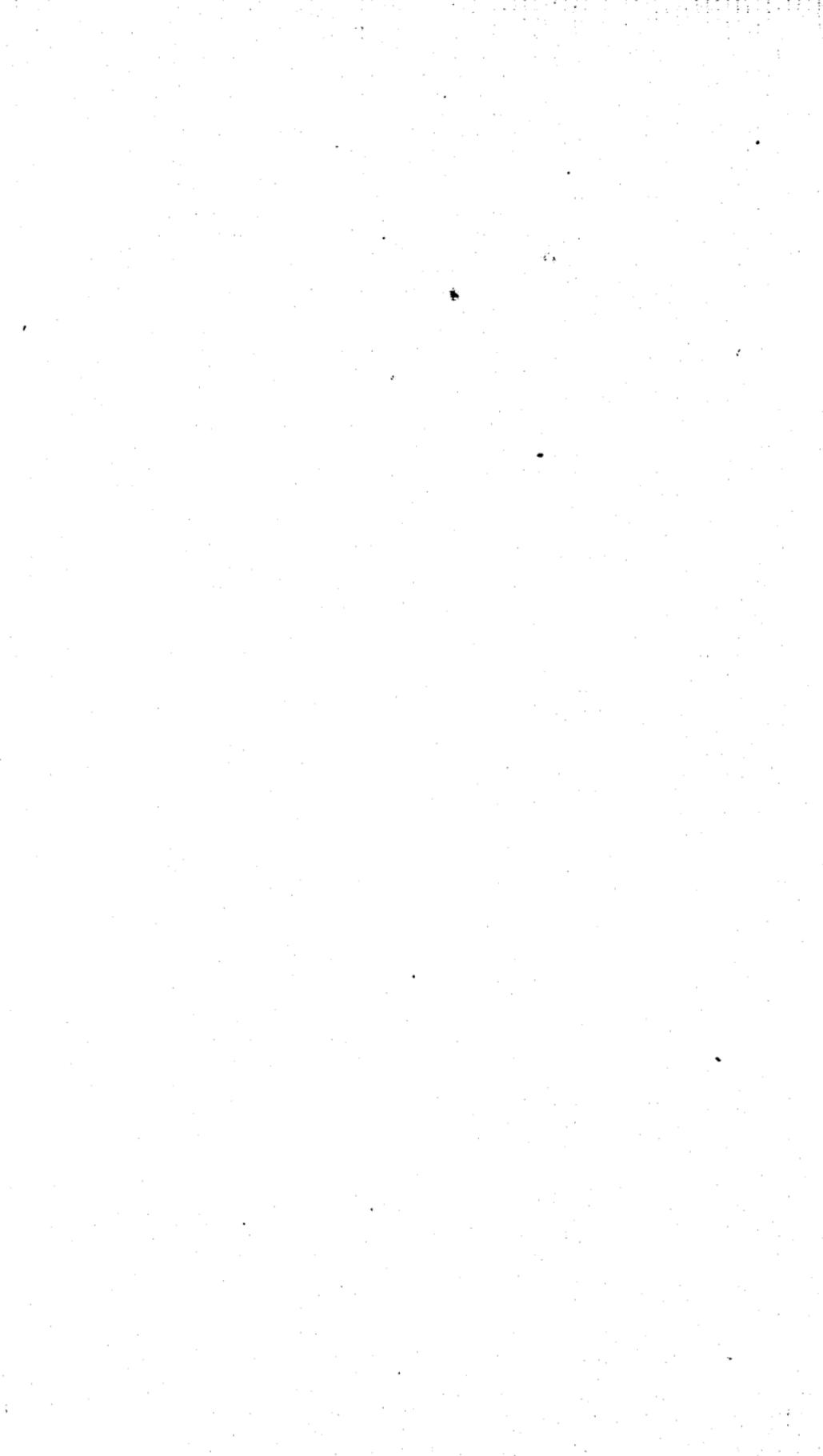
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THE
STATUTES
OF
NOVA-SCOTIA,

PASSED
IN THE FIRST AND SECOND SESSIONS OF THE
GENERAL ASSEMBLY,

OF THE
FIFTEENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA;

HELD RESPECTIVELY
2d November, 1851, and 29th January, 1852.



HALIFAX:

PRINTED BY JOHN S. THOMPSON,
Printer to the Queen's Most Excellent Majesty.



TABLE
 OF
S T A T U T E S
 OF
NOVA-SCOTIA.
15° . V I C T O R I A ,
 1851 AND 1852.

~~~~~  
**PUBLIC STATUTES.**

| CAP.  | TITLES.                                                                                                                                                       | PAGE. |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 1851. |                                                                                                                                                               |       |
| 1     | An act relative to the sittings of certain courts, and proceedings thereat,                                                                                   | 3     |
| 2     | An act to make provision for the construction of a trunk railway through British North America,                                                               | 4     |
| 3     | An act for raising by way of loan, a sum not exceeding one million of pounds sterling, for the construction of a trunk railway through British North America, | 7     |
| 4     | An Act relative to the crown land department,                                                                                                                 | 10    |
| 5     | An Act for the incorporation of land companies,                                                                                                               | 12    |
| 6     | An act for applying certain monies for the services therein specified,                                                                                        | 14    |
| 1852. |                                                                                                                                                               |       |
| 1     | An act for further improving the administration of criminal justice,                                                                                          | 17    |
| 2     | An act to continue and amend the revenue laws,                                                                                                                | 25    |
| 3     | An act to continue the militia laws,                                                                                                                          | 27    |
| 4     | An act to amend chapter thirty-four of the revised statutes,                                                                                                  | 29    |
| 5     | An act to amend chapter thirty-eight of the revised statutes, entitled, "of treasury notes, the funded debt, and the savings bank,"                           | 31    |
| 6     | An act to continue certain acts of the general assembly,                                                                                                      | 33    |
| 7     | An act to amend certain chapters of the revised statutes,                                                                                                     | 35    |

| CAP. | TITLES.                                                                                                                                                         | PAGE. |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 8    | An act for raising by way of loan, a sum not exceeding eight hundred thousand pounds, sterling, for the construction of a trunk railway from Halifax to Quebec, | 39    |
| 9    | An act to make provision for the construction of a trunk railway from Halifax to Quebec,                                                                        | 43    |
| 10   | An act for regulating distilleries,                                                                                                                             | 47    |
| 11   | An act relating to the public buildings and establishments,                                                                                                     | 51    |
| 12   | An act to authorise a provincial loan,                                                                                                                          | 53    |
| 13   | An act for founding a lunatic asylum,                                                                                                                           | 55    |
| 14   | An act for applying certain monies therein mentioned for the service of the year one thousand eight hundred and fifty-two, and for other purposes,              | 57    |

PRIVATE AND LOCAL ACTS.

1851.

|   |                                                               |    |
|---|---------------------------------------------------------------|----|
| 7 | An act to naturalize Hans Peter Burke, and Lewis F. Anderson, | 16 |
|---|---------------------------------------------------------------|----|

1852.

|    |                                                                                                                                                  |    |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 15 | An act to enable the inhabitants of Digby to improve the town common,                                                                            | 78 |
| 16 | An act to amend the act for regulating the Lunenburg common,                                                                                     | 79 |
| 17 | An act concerning the counties of Cape Breton and Victoria,                                                                                      | 79 |
| 18 | An act to extend to the village of Truro the law relating to commissioners of streets,                                                           | 82 |
| 19 | An act to extend to the village of New Caledonia, the law relating to commissioners of streets,                                                  | 82 |
| 20 | An act to provide for the opening of a road between Annapolis and Liverpool,                                                                     | 83 |
| 21 | An act to enable the city of Halifax to borrow one thousand pounds, and a further sum of five hundred pounds, for the improvement of the common, | 84 |
| 22 | An act to authorize a loan for the erection of a court house and jail in the county of Victoria,                                                 | 85 |
| 23 | An act further to amend the acts for regulating the town marsh at Annapolis,                                                                     | 85 |
| 24 | An act relating to the Oakland Common, in the township of Lunenburg,                                                                             | 86 |
| 25 | An act to provide for the erection of a bridge over the River Philip,                                                                            | 87 |
| 26 | An act to alter the time of holding the sessions for the counties of Inverness and Richmond,                                                     | 88 |
| 27 | An act to amend the act for regulating the commons at Sydney, in the County of Cape Breton,                                                      | 88 |

| CAP. | TITLES.                                                                                                                                   | PAGE. |
|------|-------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 28   | An act to authorise the sale of the Sydney academy, and the lot of land on which it stands,                                               | 89    |
| 29   | An act to enable Thomas Robson to obtain letters patent for the invention of a horizontal windmill,                                       | 92    |
| 30   | An act to incorporate the Acadia lodge, number twenty-six, of the independent order of odd fellows,                                       | 92    |
| 31   | An act to incorporate the Weymouth wharf company,                                                                                         | 93    |
| 32   | An act to incorporate the Canard temperance hall company                                                                                  | 94    |
| 33   | An act to incorporate the Louisburg fishing company,                                                                                      | 94    |
| 34   | An act to incorporate the Troop Cove pier company,                                                                                        | 95    |
| 35   | An act to incorporate the Acadian iron mining company,                                                                                    | 96    |
| 36   | An act to amend the act for the incorporation of certain bodies connected with the Wesleyan Methodist church,                             | 97    |
| 37   | An act to alter and amend the act to incorporate the union marine insurance company of Nova Scotia,                                       | 97    |
| 38   | An act to incorporate the Trustees of the Presbyterian Church at Lunenburg,                                                               | 98    |
| 39   | An act to incorporate the Dartmouth dry dock company,                                                                                     | 99    |
| 40   | An act to incorporate the proprietors of the Lower Port La Tour union chapel burial ground,                                               | 102   |
| 41   | An act concerning the Saint Mary's college at Halifax,                                                                                    | 102   |
| 42   | An act to incorporate the Cornwallis steam saw mill and manufacturing company,                                                            | 103   |
| 43   | An act to incorporate the Trustees of Burns' Free Church, in the county of Sydney,                                                        | 103   |
| 44   | An act to incorporate the kerosene gas light company, at Windsor,                                                                         | 104   |
| 45   | An act to incorporate the trustees of the Free Church congregations of Catalogne, Mire, Cow Bay, and Forks, in the county of Cape Breton, | 105   |
| 46   | An act to incorporate the mutual fishing and trading company of Pugwash,                                                                  | 107   |
| 47   | An act to incorporate the trustees of the Baptist meeting house at Chester Basin, and for enabling them to finish and enlarge the same,   | 108   |
| 48   | An act to naturalize Charles T. Lee, Sherburne Lowell, and John Kayszer,                                                                  | 110   |
| 49   | An act to naturalize Daniel N. Ellenger,                                                                                                  | 111   |

### ERRATUM.

Page 36—5th line from the foot.—For “one hundred and fifty-three” read “one hundred and thirty-three.”

**TABLE**  
OF  
**STATUTES**

OF  
NOVA-SCOTIA.

**16° VICTORIA,**

1853.

---

**PUBLIC STATUTES.**

| CAP. | TITLES.                                                                                               | PAGE. |
|------|-------------------------------------------------------------------------------------------------------|-------|
| 1    | An act to incorporate the Nova-Scotia railway company,                                                | 1     |
| 2    | An act to authorize the construction of certain railways in this province,                            | 25    |
| 3    | An act to authorize a loan for the construction of certain public works within this province,         | 29    |
| 4    | An act to regulate the practice and proceedings in the supreme court,                                 | 33    |
| 5    | An act to facilitate legal proceedings against companies doing business by agents in this province,   | 79    |
| 6    | An act to amend chapter 115 of the revised statutes, "Of the descent of real and personal estate,"    | 81    |
| 7    | An act to authorize equitable defences to actions of ejectment,                                       | 83    |
| 8    | An act to extend the operation of the law relating to petty trespasses and assaults,                  | 85    |
| 9    | An act relative to the appointment of constables to attend the supreme court and sessions in Halifax, | 87    |
| 10   | An act respecting special constables,                                                                 | 89    |
| 11   | An act to amend chapter 64 of the revised statutes, entitled, "Of commissioners of streets,"          | 91    |
| 12   | An act to amend chapter 130 of the revised statutes, "Of the probate court,"                          | 93    |
| 13   | An act concerning prothonotaries and clerks of the crown,                                             | 97    |
| 14   | An act relating to the deep sea fishery,                                                              | 99    |
| 15   | An act to regulate the mines of this province,                                                        | 101   |

| CAP. | TITLES.                                                                                                                                              | PAGE. |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 16   | An act to authorize clerks of the peace to appoint deputies,                                                                                         | 103   |
| 17   | An act to amend chapter 95 of the revised statutes, "Of the river fisheries,"                                                                        | 105   |
| 18   | An act to authorize a provincial loan,                                                                                                               | 107   |
| 19   | An act for enforcing performance of engagements in aid of public undertakings,                                                                       | 109   |
| 20   | An act to amend the act to provide for the erection of a court house in Halifax,                                                                     | 111   |
| 21   | An act to extend the provisions of the patent laws,                                                                                                  | 113   |
| 22   | An act relative to certain payments made from the provincial treasury,                                                                               | 115   |
| 23   | An act to revive and continue the act for regulating distilleries,                                                                                   | 117   |
| 24   | An act to amend an act for founding a lunatic asylum,                                                                                                | 119   |
| 25   | An act to revive and continue the license law,                                                                                                       | 121   |
| 26   | An act to amend the laws for the prevention of smuggling,                                                                                            | 123   |
| 27   | An act to continue the laws relating to education,                                                                                                   | 125   |
| 28   | An act to continue the laws imposing customs duties,                                                                                                 | 127   |
| 29   | An act relating to the placing of draws in bridges,                                                                                                  | 129   |
| 30   | An act to continue the militia law,                                                                                                                  | 131   |
| 31   | An act to continue the law imposing light house duties,                                                                                              | 133   |
| 32   | An act for the management of certain great roads of this province,                                                                                   | 135   |
| 33   | An act for applying certain monies therein mentioned for the service of the year one thousand eight hundred and fifty-three, and for other purposes, | 137   |

PRIVATE AND LOCAL ACTS.

|    |                                                                                   |     |
|----|-----------------------------------------------------------------------------------|-----|
| 34 | An act to enable the city of Halifax to borrow funds for building a market house, | 159 |
| 35 | An act to provide for the construction of the Saint Peter's canal,                | 160 |
| 36 | An act respecting streets and highways in the city of Halifax,                    | 161 |
| 37 | An act to enable the city of Halifax to borrow two thousand pounds,               | 163 |
| 38 | An act to establish a steam ferry across the Gut of Canso,                        | 163 |
| 39 | An act to amend the acts for the government of Acadia college,                    | 164 |
| 40 | An act to extend the jurisdiction of the commissioners of streets for Truro,      | 165 |
| 41 | An act to incorporate a company to construct a branch railway to Whitehaven,      | 165 |

| CAP. | TITLES.                                                                                                                                                       | PAGE. |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 42   | An act to authorize the erection of a bridge over Milford Haven river, and to provide for the same,                                                           | 168   |
| 43   | An act for establishing a public market place in Digby,                                                                                                       | 169   |
| 44   | An act to extend the provisions of an act to provide for the removal of obstructions from the Liverpool river,                                                | 169   |
| 45   | An act to define the limits of the town of Baddeck,                                                                                                           | 170   |
| 46   | An act relating to the Onslow burial ground,                                                                                                                  | 170   |
| 47   | An act to authorize the appointment of trustees for the public burial ground at Tusket,                                                                       | 172   |
| 48   | An act relative to the representation for the township of Sydney,                                                                                             | 172   |
| 49   | An act to provide for the erection of a bridge over the west river of Pictou,                                                                                 | 173   |
| 50   | An act relating to the parish of St. George, in the township of Halifax,                                                                                      | 173   |
| 51   | An act relating to the holding of the sessions for the county of Victoria,                                                                                    | 174   |
| 52   | An act to revive and continue an act relative to certain streets in the town of Guysborough,                                                                  | 174   |
| 53   | An act to authorize a loan for the erection of a new jail in the county of Richmond,                                                                          | 174   |
| 54   | An act relating to certain bridges in the county of Cape Breton,                                                                                              | 175   |
| 55   | An act to incorporate the inland navigation company,                                                                                                          | 179   |
| 56   | An act to incorporate the Acadia freestone quarrying and manufacturing company,                                                                               | 183   |
| 57   | An act to incorporate the shareholders of the Town Hall, Guysborough,                                                                                         | 184   |
| 58   | An act to incorporate the trustees of Saint Andrew's Church in Halifax,                                                                                       | 185   |
| 59   | An act to incorporate the Canning public hall company,                                                                                                        | 188   |
| 60   | An act to incorporate the Cornwallis union hall company,                                                                                                      | 188   |
| 61   | An act to incorporate the Lakeville Temperance hall company,                                                                                                  | 189   |
| 62   | An act to incorporate the trustees of the Baptist church at Westport,                                                                                         | 190   |
| 63   | An act to incorporate the trustees of North Sydney Free Church, in the county of Cape Breton,                                                                 | 191   |
| 64   | An act to incorporate the trustees of the Free Church congregation at Sydney,                                                                                 | 191   |
| 65   | An act to incorporate the Grandique team boat company,                                                                                                        | 192   |
| 66   | An act to incorporate the governors of king's college, Windsor, and to repeal the act for founding, establishing, and maintaining a college in this province, | 193   |

| CAP. | TITLES.                                                                                                                                                               | PAGE. |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 67   | An act to incorporate the Antigonishe steam boat company,                                                                                                             | 195   |
| 68   | An act to incorporate the Halifax fishing company,                                                                                                                    | 196   |
| 69   | An act to incorporate the Ogilvie Brook pier company of Cornwallis,                                                                                                   | 197   |
| 70   | An act to amend the acts for incorporating the trustees of the free church congregation of Sydney, Catalogne, Mire, Cow Bay, and Forks, in the county of Cape Breton, | 198   |
| 71   | An act to incorporate the Northumberland Straits fishing company,                                                                                                     | 199   |
| 72   | An act for further increasing the capital stock of the Halifax water company,                                                                                         | 200   |
| 73   | An act to enable Asa Willard to obtain letters patent for the invention of a butter machine,                                                                          | 200   |

**TABLE**  
**OF**  
**STATUTES**  
**OF**  
**NOVA-SCOTIA.**  
**17°. VICTORIÆ,**  
**1854.**

**PUBLIC STATUTES.**

| CAP. | TITLES.                                                                                                           | PAGE. |
|------|-------------------------------------------------------------------------------------------------------------------|-------|
| 1    | An act to authorize the construction of railways in this province,                                                | 1     |
| 2    | An act to authorize a loan for the construction of railways within this province,                                 | 7     |
| 3    | An act further to amend chapter 38 of the revised statutes;                                                       | 9     |
| 4    | An act to amend chapter 38 of the revised statutes, and the act in amendment thereof,                             | 9     |
| 5    | An act to establish a Normal school,                                                                              | 10    |
| 6    | An act concerning the elective franchise,                                                                         | 12    |
| 7    | An Act to amend the new practice act,                                                                             | 15    |
| 8    | An act to facilitate proceedings under the new practice act,                                                      | 16    |
| 9    | An act to continue and further amend the laws imposing customs duties,                                            | 17    |
| 10   | An act to amend chapter 18 of the revised statutes, "Of the exportation of goods, and of drawbacks,"              | 17    |
| 11   | An act to alter and amend chapter 136 of the revised statutes, "Of Juries,"                                       | 18    |
| 12   | An act relating to proceedings before justices of the peace,                                                      | 20    |
| 13   | An act to amend chapter 91 of the revised statutes, "Of the maintenance of bastard children,"                     | 21    |
| 14   | An act to amend chapter 78 of the revised statutes,                                                               | 22    |
| 15   | An act to amend chapter 113 of the revised statutes, "Of the registry of deeds and incumbrances affecting lands," | 22    |

| CAP. | TITLES.                                                                                                                                                                          | PAGE. |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 16   | An act to amend chapter 46 of the revised statutes,<br>"Of county assessments,"                                                                                                  | 23    |
| 17   | An act to amend chapter 154 of the revised statutes,<br>"Of costs and fees,"                                                                                                     | 24    |
| 18   | An act to amend chapter 63 of the revised statutes,<br>"Of surveyors of highways and highway labor,<br>except in Halifax,"                                                       | 24    |
| 19   | An act to remove all disability to take and hold real<br>estate by reason of alienage,                                                                                           | 25    |
| 20   | An act to authorize special sittings of the supreme<br>court for the trial of criminals,                                                                                         | 25    |
| 21.  | An act to extend the provisions of chapter 103 of<br>the revised statutes, "Of the conveying of timber<br>and lumber on rivers, and the removal of obstruc-<br>tions therefrom," | 26    |
| 22   | An act to further amend the jury law,                                                                                                                                            | 26    |
| 23   | An act to amend chapter 27 of the revised statutes,<br>"Of the coal mines,"                                                                                                      | 27    |
| 24   | An act relating to the river fisheries,                                                                                                                                          | 28    |
| 25   | An act to continue and amend the laws relating to<br>education,                                                                                                                  | 29    |
| 26   | An act to amend chapter 140 of the revised statutes,<br>"Of forcible entry and detainer,"                                                                                        | 30    |
| 27   | An act to alter and amend chapter 46 of the revised<br>statutes, "Of county assessments,"                                                                                        | 30    |
| 28   | An act to amend chapter 49 of the revised statutes,<br>"Of fences, fence viewers, and impounding of<br>Cattle,"                                                                  | 31    |
| 29   | An act to amend chapter 14 of the revised statutes,<br>"Of officers of the customs,"                                                                                             | 32    |
| 30   | An act in addition to the act relative to the crown<br>land department,                                                                                                          | 32    |
| 31   | An act to amend chapter 61 of the revised statutes,<br>"Of laying out certain great roads,"                                                                                      | 33    |
| 32   | An act to amend chapter 105 of the revised statutes,<br>"Of public exhibitions,"                                                                                                 | 33    |
| 33   | An act to amend chapter 76 of the revised statutes,<br>"Of shipping and seamen,"                                                                                                 | 34    |
| 34   | An act to continue and amend chapter 29 of the<br>revised statutes, "Of the Militia,"                                                                                            | 34    |
| 35   | An act to continue the license law,                                                                                                                                              | 35    |
| 36   | An act to continue the act for regulating distilleries,                                                                                                                          | 35    |
| 37   | An act relating to disorderly persons,                                                                                                                                           | 36    |
| 38   | An act to alter and amend chapter 73 of the revised<br>statutes, "Of commissioners of sewers, and the<br>regulating of dyked and marsh lands,"                                   | 37    |
| 39   | An act to amend chapter 147 of the revised statutes,<br>"Of petty trespasses and assaults,"                                                                                      | 38    |
| 40   | An act to continue the law imposing light house<br>duties,                                                                                                                       | 38    |

|                         |                                                                                                                                                     |    |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 41                      | An act for applying certain monies therein mentioned for the service of the year one thousand eight hundred and fifty-four, and for other purposes, | 39 |
| 42                      | An act to authorize a provincial loan,                                                                                                              | 49 |
| PRIVATE AND LOCAL ACTS. |                                                                                                                                                     |    |
| 43                      | An act for settling titles to lands in the island of Cape Breton,                                                                                   | 53 |
| 44                      | An act to authorize the board of works to lease or sell certain public property,                                                                    | 53 |
| 45                      | An act to amend the act concerning the city of Halifax,                                                                                             | 54 |
| 46                      | An act to enable the city of Halifax to erect a city prison,                                                                                        | 55 |
| 47                      | An act respecting assessments in the city of Halifax,                                                                                               | 56 |
| 48                      | An act to amend the act to provide for the erection of a court house in Halifax,                                                                    | 57 |
| 49                      | An act to amend the act relating to the Onslow burial ground,                                                                                       | 57 |
| 50                      | An act to amend the act to provide for the erection of a bridge over the west River of Pictou,                                                      | 58 |
| 51                      | An act to increase the number of polling places in the county of Lunenburg,                                                                         | 58 |
| 52                      | An act relating to certain public lands in the town of Lunenburg,                                                                                   | 59 |
| 53                      | An act to provide for the completion of the road from Mahone Bay to Bridgewater,                                                                    | 60 |
| 54                      | An act to divide the township of St. Andrew's, in the county of Cape Breton,                                                                        | 60 |
| 55                      | An act concerning the county of Shelburne,                                                                                                          | 61 |
| 56                      | An act to legalize certain proceedings of the sessions of the county of Shelburne,                                                                  | 62 |
| 57                      | An act to provide for improving the road from Antigonishe towards Sherbrooke,                                                                       | 63 |
| 58                      | An act to amend the Act, entitled, an act to authorize an assessment on the township of Sydney,                                                     | 63 |
| 59                      | An act to provide for building a bridge at Barney's River, in the county of Pictou,                                                                 | 64 |
| 60                      | An act relating to the erection of a bridge at Barney's River,                                                                                      | 64 |
| 61                      | An act to provide for constructing bridges at Kennetcook and St. Croix, in the county of Hants,                                                     | 65 |
| 62                      | An act relating to the Chesley aboiteau,                                                                                                            | 65 |
| 63                      | An act relating to the court house at Liverpool,                                                                                                    | 66 |
| 64                      | An act to alter certain electoral districts in the county of Shelburne,                                                                             | 67 |
| 65                      | An act to incorporate the New Glasgow steam boat company,                                                                                           | 71 |
| 66                      | An act to incorporate the Atlantic mutual marine insurance company,                                                                                 | 72 |

| CAP. | TITLES.                                                                                      | PAGE. |
|------|----------------------------------------------------------------------------------------------|-------|
| 67   | An act to incorporate the union mutual marine insurance company,                             | 73    |
| 68   | An act to incorporate the Nova-Scotia mutual marine insurance company,                       | 75    |
| 69   | An act to incorporate the Clementsport wharf company,                                        | 76    |
| 70   | An act to amend the act to incorporate the Nova-Scotia horticultural society,                | 78    |
| 71   | An act to incorporate the Halifax marine railway company,                                    | 79    |
| 72   | An act to incorporate the Pictou water company,                                              | 79    |
| 73   | An act to incorporate the Liverpool steam boat company,                                      | 81    |
| 74   | An Act to incorporate the Roman catholic bishop in Arichat,                                  | 82    |
| 75   | An act to authorize the dissolution of the Nova-Scotia marine insurance company,             | 83    |
| 76   | An act to incorporate the trustees of the Baptist meeting house at Hantsport,                | 83    |
| 77   | An Act to incorporate the Truro temperance hall company,                                     | 84    |
| 78   | An act to incorporate a company to establish a steam boat ferry across the harbor of Pictou, | 85    |
| 79   | An act to authorize the sale of the old presbyterian meeting house at Tatamagouche,          | 86    |
| 80   | An act to revive and continue the act to incorporate the Avon marine insurance company,      | 87    |
| 81   | An act to naturalize the reverend John Goudot and others therein named,                      | 87    |
| 82   | An act respecting the presbyterian meeting house at Upper Stewiacke,                         | 87    |





**TABLE**  
OF  
**STATUTES**  
OF  
**NOVA-SCOTIA.**  
**18°. VICTORIÆ.**  
1854—5.

---

**PUBLIC STATUTES.**

| CAP. | TITLES.                                                                                                                                         | PAGE. |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 1    | An act for giving effect, on the part of the province of Nova-Scotia, to a certain treaty between her majesty and the United States of America, | 1     |
| 2    | An act to alter and amend Chapter 22 of the revised statutes, "Of licenses for the sale of intoxicating liquors,"                               | 3     |
| 3    | An act to continue and alter the laws imposing customs duties,                                                                                  | 5     |
| 4    | An act to enlarge and amend the new practice act,                                                                                               | 6     |
| 5    | An act to authorize assessments for railway damages,                                                                                            | 12    |
| 6    | An act to amend the act 17 Victoria, chapter 2, authorizing a loan for the construction of railways within this province,                       | 15    |
| 7    | An act to amend chapter 63 of the revised statutes, "Of surveyors of highways, and highway labor except in Halifax,"                            | 16    |
| 8    | An act to amend chapter 147 of the revised statutes, "Of petty trespasses and assaults,"                                                        | 16    |
| 9    | An act to amend chapter 135 of the revised statutes, "Of witnesses and evidence, and the proof of written documents,"                           | 17    |
| 10   | An act to continue and amend the laws relative to the militia,                                                                                  | 27    |
| 11   | An act concerning the registry of ships,                                                                                                        | 28    |

| CAP. | TITLES.                                                                                                                                                                                           | PAGE. |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 12   | An act to amend the act 17 Victoria, chapter 44, entitled, "An act to authorize the board of works to lease or sell certain public property,"                                                     | 29    |
| 13   | An act to authorize a provincial loan,                                                                                                                                                            | 30    |
| 14   | An act for the summary trial and punishment of offenders against public morals,                                                                                                                   | 31    |
| 15   | An act to amend chapter 78 of the revised statutes, "Of pilotage, harbors, and harbor masters,"                                                                                                   | 31    |
| 16   | An act to alter and amend chapter 85 of the revised statutes, "Of the regulation and inspection of provisions, lumber, fuel, and other merchandize," so far as relates to the inspection of fish, | 33    |
| 17   | An act to amend chapter 131 of the revised statutes, "Of the jurisdiction of justices of the peace in civil cases,                                                                                | 39    |
| 18   | An act to amend the jury law,                                                                                                                                                                     | 39    |
| 19   | An act to amend chapter 86 of the revised statutes, "Of weights and measures,"                                                                                                                    | 40    |
| 20   | An act to amend chapter 126 of the revised statutes, "Of the supreme court and its officers,"                                                                                                     | 40    |
| 21   | An act to postpone the ensuing easter term of the supreme court at Halifax,                                                                                                                       | 41    |
| 22   | An act to amend chapter 113 of the revised statutes, "Of the registry of deeds, and incumbrances affecting lands,"                                                                                | 41    |
| 23   | An act for abolishing the court of chancery, and conferring equity jurisdiction on the supreme court,                                                                                             | 42    |
| 24   | An act relating to operators in electric telegraph offices,                                                                                                                                       | 55    |
| 25   | An act to enlarge the amount of deposits in the savings' bank,                                                                                                                                    | 56    |
| 26   | An act to amend the act concerning prothonotaries and clerks of the crown,                                                                                                                        | 56    |
| 27   | An act to amend chapter 76 of the revised statutes, "Of the regulation of trade in certain cases,"                                                                                                | 57    |
| 28   | An act to authorize the board of commissioners to make regulations for the construction and management of railways in Nova-Scotia,                                                                | 57    |
| 29   | An act relating to incorporated pier companies,                                                                                                                                                   | 58    |
| 30   | An act to amend the act relating to the river fisheries,                                                                                                                                          | 58    |
| 31   | An act to continue the law to regulate distilleries,                                                                                                                                              | 59    |
| 32   | An act to continue the license law,                                                                                                                                                               | 59    |
| 33   | An act to continue and amend the laws relating to education                                                                                                                                       | 59    |
| 34   | An act to amend chapter 152 of the revised statutes, "Of the custody and estates of lunatics,"                                                                                                    | 60    |
| 35   | An act to continue the law imposing light house duties,                                                                                                                                           | 62    |

| CAP. | TITLES.                                                                                                                                             | PAGE. |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 36   | An act further to amend chapter 130 of the revised statutes, "Of the probate court,"                                                                | 63    |
| 37   | An act to amend chapter 48 of the revised statutes, "Of townships and township officers,"                                                           | 64    |
| 38a  | An act to authorize the appointment of police constables,                                                                                           | 64    |
| 38b  | An act to amend chapter 75 of the revised statutes, "Of common fields,"                                                                             | 65    |
| 39   | An act to amend chapter 62 of the revised statutes, "Of laying out roads, other than certain great roads,"                                          | 65    |
| 40   | An act to amend chapter 61 of the revised statutes, "Of laying out certain great roads,"                                                            | 66    |
| 41   | An act to amend chapter 41 of the revised statutes, "Of coroners,"                                                                                  | 67    |
| 42   | An act to amend chapter 51 of the revised statutes, "Of religious congregations and societies,"                                                     | 67    |
| 43   | An act to regulate the sale of fresh fish,                                                                                                          | 68    |
| 44   | An act respecting prosecutions for penalties,                                                                                                       | 68    |
| 45   | An act to amend chapter 97 of the revised statutes, "Of trustees of public property,"                                                               | 69    |
| 46   | An act to amend chapter 37 of the revised statutes, "Of the office of surveyor general and commissioner of crown lands,"                            | 69    |
| 47   | An act in addition to chapter 87 of the revised statutes, "Of general provisions respecting corporations,"                                          | 70    |
| 48   | An act for granting a pension to the late commissioner of crown lands,                                                                              | 70    |
| 49   | An act for the municipal government of counties,                                                                                                    | 71    |
| 50   | An act for applying certain monies therein mentioned for the service of the year one thousand eight hundred and fifty-five, and for other purposes, | 93    |

PRIVATE AND LOCAL ACTS.

|    |                                                                                  |     |
|----|----------------------------------------------------------------------------------|-----|
| 51 | An act for the erection of a general hospital in the city of Halifax,            | 117 |
| 52 | An act to provide for extending the eastern shore road in the county of Halifax, | 118 |
| 53 | An act to add a polling place in the county of Inverness,                        | 119 |
| 54 | An act to add a polling place in the county of Yarmouth,                         | 119 |
| 55 | An act to amend the act concerning the city of Halifax,                          | 120 |
| 56 | An act to authorize a loan for the erection of a court house in Pictou,          | 120 |
| 57 | An act to amend the act to enable the city of Halifax to erect a city prison,    | 121 |

| CAP. | TITLES.                                                                                                          | PAGE. |
|------|------------------------------------------------------------------------------------------------------------------|-------|
| 58   | An act to alter the sittings of the general sessions of the peace for the county of Inverness,                   | 121   |
| 59   | An act to enable the inhabitants of Liverpool to procure a fire engine,                                          | 121   |
| 60   | An act in addition to the act concerning the county of Shelburne,                                                | 122   |
| 61   | An act to change a polling place in the township of Parrsborough,                                                | 122   |
| 62   | An act relating to pilotage in the Bras d'Or Lake,                                                               | 123   |
| 63   | An act concerning measurers of coal and cordwood in the city of Halifax,                                         | 123   |
| 64   | An act to authorize the sale of the jail at Truro,                                                               | 123   |
| 65   | An act to provide for the construction of a bridge over the Little Bras d'Or Lake, in the county of Cape Breton, | 124   |
| 66   | An act to incorporate the transatlantic submarine telegraph company,                                             | 127   |
| 67   | An act to alter and amend the act to incorporate the inland navigation company,                                  | 131   |
| 68   | An act to incorporate the acadian iron and steel company,                                                        | 132   |
| 69   | An act to incorporate the Acadian Marble company,                                                                | 136   |
| 70   | An act to incorporate the committee of the Halifax library,                                                      | 138   |
| 71   | An act to alter and amend the act to incorporate the bank of Nova-Scotia,                                        | 139   |
| 72   | An act to incorporate the South Pictou seamans' bethel society,                                                  | 139   |
| 73   | An act to incorporate the Chute's cove pier company,                                                             | 140   |
| 74   | An act to continue the acts relating to the Nova-Scotia marine insurance company,                                | 141   |
| 75   | An act to incorporate the Centreville hall company,                                                              | 141   |
| 76   | An act to incorporate the Canada Creek pier company,                                                             | 142   |
| 77   | An act to incorporate the merchant's exchange company,                                                           | 143   |
| 78   | An act to continue the acts relating to the union marine insurance company,                                      | 143   |
| 79   | An act to amend the act to incorporate a company to establish a steam boat ferry across the harbor of Pictou,    | 144   |
| 80   | An act to incorporate the Hall's harbor pier company,                                                            | 144   |
| 81   | An act to incorporate the Pictou cemetery company,                                                               | 145   |
| 82   | An act to naturalize Isaac M. Chandler and Benjamin Franklin Ward,                                               | 145   |
| 83   | An act to naturalize George Ward,                                                                                | 146   |

**TABLE**  
OF  
**STATUTES**  
OF  
**NOVA-SCOTIA.**  
**19° . VICTORIÆ,**  
**1856.**

---

**PUBLIC STATUTES.**

| CAP. | TITLES.                                                                                                                                                   | PAGE. |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 1    | An act to continue and amend the laws imposing customs duties,                                                                                            | 1     |
| 2    | An act to alter and amend chapter 126 of the revised statutes, "Of the supreme court and its officers,"                                                   | 2     |
| 3    | An act to continue the law imposing light house duties,                                                                                                   | 3     |
| 4    | An act to amend the new practice act,                                                                                                                     | 3     |
| 5    | An act to continue the law to regulate distilleries,                                                                                                      | 4     |
| 6    | An act to amend chapter 66 of the revised statutes, "Of the expenditure of monies on the roads,                                                           | 4     |
| 7    | An act to amend chapter 136 of the revised statutes, "Of Juries,"                                                                                         | 5     |
| 8    | An act to alter and amend the laws relating to the customs,                                                                                               | 7     |
| 9    | An act to repeal chapter 59 of the revised statutes, "Of immigrants,"                                                                                     | 13    |
| 10   | An act for the regulation of railways,                                                                                                                    | 14    |
| 11   | An act for the municipal government of townships,                                                                                                         | 18    |
| 12   | An act to amend the act for the municipal government of counties,                                                                                         | 23    |
| 13   | An act to amend chapter one hundred and fifty-four of the revised statutes, "Of costs and fees,"                                                          | 23    |
| 14   | An act to establish and regulate the sale by weight of vegetables and coal,                                                                               | 24    |
| 15   | An act to amend the act seventeenth Victoria, chapter second, entitled, an act to authorize a loan for the construction of railways within this province, | 24    |

| CAP. | TITLES.                                                                                                                                            | PAGE. |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 16   | An act to facilitate the investment of trust and other funds,                                                                                      | 25    |
| 17   | An act to authorize a provincial loan,                                                                                                             | 25    |
| 18   | An act to continue the license laws,                                                                                                               | 26    |
| 19   | An act to amend chapter 67 of the revised statutes,<br>"Of the preservation of roads,"                                                             | 26    |
| 20   | An act to establish a more equal and just system of assessment,                                                                                    | 27    |
| 21   | An act for the preservation of pheasants,                                                                                                          | 36    |
| 22   | An act to amend chapter 57 of the revised statutes,<br>"Of regulations concerning the practice of physic and surgery,"                             | 37    |
| 23   | An act to amend the act 18th Victoria, chapter 16, relating to the inspection of fish,                                                             | 38    |
| 24   | An act to amend chapter 141 of the revised statutes,<br>"Of suits against absent or absconding debtors,"                                           | 39    |
| 25   | An act to amend the jury law,                                                                                                                      | 40    |
| 26   | An act for a further issue of treasury notes,                                                                                                      | 40    |
| 27   | An act to continue the laws relating to education,                                                                                                 | 41    |
| 28   | An act to amend chapter 92 of the revised statutes,<br>"Of the preservation of useful birds and animals,"                                          | 41    |
| 29   | An act to extend the provisions of chapter 61 of the revised statutes, "Of laying out certain great roads,"                                        | 42    |
| 30   | An Act to amend chapter 13 of the act 16th Victoria,                                                                                               | 42    |
| 31   | An act to explain chapter 113 of the revised statutes,<br>"Of the registry of deeds and incumbrances affecting lands,"                             | 43    |
| 32   | An act to amend chapter 111 of the revised statutes,<br>"Of deeds by married women,"                                                               | 43    |
| 33   | An act to amend chapter 46 of the revised statutes,<br>"Of county assessments,"                                                                    | 44    |
| 34   | An act to enlarge the amount of deposits in the savings bank,                                                                                      | 46    |
| 35   | An act to amend chapter 63 of the revised statutes,<br>"Of surveyors of highways and highway labor, except in Halifax,"                            | 47    |
| 36   | An act to continue and amend the laws relating to the militia,                                                                                     | 48    |
| 37   | An act to amend the act concerning the registry of ships,                                                                                          | 49    |
| 38   | An act for applying certain monies therein mentioned for the service of the year one thousand eight hundred and fifty-six, and for other purposes, | 49    |

LOCAL ACTS.

|    |                                                                              |    |
|----|------------------------------------------------------------------------------|----|
| 39 | An act to divide the county of Annapolis, into two school districts,         | 69 |
| 40 | An Act to constitute Argyle, in the county of Yarmouth, a separate district, | 70 |

|    |                                                                                                                                           |    |
|----|-------------------------------------------------------------------------------------------------------------------------------------------|----|
| 41 | An act to make certain records of the township of Onslow receivable in evidence,                                                          | 71 |
| 42 | An act to enable the corporation of Halifax to procure a general survey of the city,                                                      | 72 |
| 43 | An act to authorise the alteration of certain electoral districts in the county of Guysborough,                                           | 72 |
| 44 | An act for the repair and maintenance of streets in the city of Halifax,                                                                  | 73 |
| 45 | An act to provide for repairing a bridge at Bridgewater, in the county of Lunenburg,                                                      | 76 |
| 46 | An act for improving the road between Sable River and Ragged Islands, in the County of Shelburne,                                         | 76 |
| 47 | An act for improving the harbor of Port Hood,                                                                                             | 77 |
| 48 | An act to enable the inhabitants of the towns of Pictou and New Glasgow to assess themselves for making and repairing streets and sewers, | 78 |
| 49 | An act to amend chapter 56, 18th Victoria, entitled, an act to authorize a loan for the erection of a court house in Pictou,              | 78 |
| 50 | An act to enable the inhabitants of the town of Windsor to procure a fire engine,                                                         | 79 |
| 51 | An act to legalize the grand and petit juries for the counties of Cape Breton and Richmond,                                               | 80 |
| 52 | An act to enable the inhabitants of Pugwash to procure a fire engine,                                                                     | 80 |
| 53 | An act to enable the corporation of Halifax to make improved sidewalks in the city,                                                       | 81 |
| 54 | An act to regulate the marking of logs in the county of Queens,                                                                           | 81 |
| 55 | An act to provide for the improvement of the road from Maitland to the great eastern road,                                                | 82 |
| 56 | An act to amend chapters 76 and 80 of the acts of 18th Victoria,                                                                          | 83 |
| 57 | An act for improving the new road from Annapolis to Liverpool,                                                                            | 83 |
| 58 | An act to set off an additional electoral district within the county of Annapolis,                                                        | 84 |
| 59 | An act to alter the times of holding the sessions for the county of Lunenburg,                                                            | 84 |
| 60 | An act concerning the division of school districts in the county of Lunenburg,                                                            | 85 |
| 61 | An act to establish the township of Morristown, in the county of Sydney,                                                                  | 85 |
| 62 | An act to provide for the rebuilding of Melford bridge over the west river of Pictou,                                                     | 86 |
| 63 | An act to divide the eastern school district of the county of Halifax,                                                                    | 86 |
| 64 | An act to assess the township of Granville,                                                                                               | 87 |

| CAP. | TITLES.                                                                           | PAGE. |
|------|-----------------------------------------------------------------------------------|-------|
| 65   | An act to amend the acts to provide for the erection of a court house in Halifax, | 88    |
| 66   | An act to alter the representation of Queen's county,                             | 89    |
| 67   | An act to provide for improving the road from New Glasgow to Saint Mary's,        | 89    |
| 68   | An act relating to the width of roads at Brier Island, in the county of Digby,    | 90    |
| 69   | An act to regulate the setting of nets in the harbor of Liverpool,                | 90    |
| 70   | An act to alter the harbor master's fees in the harbor of Sydney,                 | 91    |
| 71   | An act to authorize the sale of the Cornwallis toll-bridge,                       | 91    |

PRIVATE ACTS

|    |                                                                                                         |     |
|----|---------------------------------------------------------------------------------------------------------|-----|
| 72 | An act to incorporate the Milton railroad company,                                                      | 95  |
| 73 | An act to incorporate the Halifax mechanics' library association,                                       | 96  |
| 74 | An act to incorporate the union bank of Halifax,                                                        | 97  |
| 75 | An act to incorporate the New Caledonia lodge, Pictou,                                                  | 105 |
| 76 | An act to incorporate the trustees of the South Baptist meeting-house at Wilmot,                        | 107 |
| 77 | An act to incorporate Saint George's charitable society in Halifax,                                     | 111 |
| 78 | An act to incorporate the Hantsport cemetery company,                                                   | 111 |
| 79 | An Act to incorporate the trustees of Saint Matthew's church at Wallace,                                | 112 |
| 80 | An act to increase the capital stock of the Nova-Scotia horticultural society,                          | 112 |
| 81 | An act to incorporate the college and academy board of the Free Church of Nova Scotia,                  | 113 |
| 82 | An act to incorporate the Newport Brooklyn hall company,                                                | 115 |
| 83 | An act to incorporate the Erasmus hall company,                                                         | 116 |
| 84 | An act to incorporate the Liverpool marine railway company,                                             | 116 |
| 85 | An act to incorporate the trustees of McLean's Free Church, at Indian Rear, in the county of Inverness, | 117 |
| 86 | An act to incorporate the Ira Woodworth pier company at Cornwallis,                                     | 118 |
| 87 | An act to incorporate the Union Meeting-house congregation at Mahone Bay,                               | 119 |
| 88 | An act to incorporate the Oak Point pier company at Cornwallis,                                         | 120 |
| 89 | An act to amend the act to incorporate the trustees of Burns' Free Church, in the county of Sydney,     | 121 |
| 90 | An act to incorporate the Centreville hall company,                                                     | 122 |

| CAP. | TITLES.                                                                                                                 | PAGE. |
|------|-------------------------------------------------------------------------------------------------------------------------|-------|
| 91   | An act for further increasing the capital stock of the Halifax water company,                                           | 123   |
| 92   | An act to authorize the draining of a peat bog, near the town of Liverpool,                                             | 123   |
| 93   | An act in addition to the act for incorporating the Margaretville pier company,                                         | 124   |
| 94   | An act to amend the act to incorporate the Acadian iron and steel company,                                              | 125   |
| 95   | An act to continue and further alter the act to incorporate the bank of Nova Scotia, and the acts in amendment thereof, | 126   |
| 96   | An act to authorize the sale of the old Presbyterian meeting-house at Windsor,                                          | 127   |
| 97   | An act relative to a town-hall at Onslow,                                                                               | 128   |
| 98   | An act to naturalize Andrew Craigie White, William Higgins Sargent, and William Green Armstrong,                        | 128   |



# TABLE OF STATUTES

OF

NOVA-SCOTIA.

20°. VICTORIÆ.

1857.

---

## PUBLIC STATUTES.

| CAP. | TITLES.                                                                                                                                                                           | PAGE. |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 1    | An act to continue and amend the laws imposing customs duties,                                                                                                                    | 1     |
| 2    | An act to continue the law imposing light house duties,                                                                                                                           | 2     |
| 3    | An act to continue the license laws,                                                                                                                                              | 2     |
| 4    | An act to continue the law to regulate distilleries,                                                                                                                              | 2     |
| 5    | An act to amend the jury law,                                                                                                                                                     | 3     |
| 6    | An act to revive and continue and amend the laws relative to the militia,                                                                                                         | 3     |
| 7    | An act for transferring to her Majesty's secretary of state for the war department, the powers and estates vested in the principal officers of Her Majesty's ordnance department, | 4     |
| 8    | An act to alter and amend chapter 126 of the revised statutes, "Of the supreme court and its officers,"                                                                           | 6     |
| 9    | An act to amend the new practice act,                                                                                                                                             | 6     |
| 10   | An act to amend the new practice act,                                                                                                                                             | 7     |
| 11   | An act to encourage the establishment of Telegraphic communication between this province and the united kingdom of Great Britain and Ireland,                                     | 11    |
| 12   | An act to authorise a provincial loan,                                                                                                                                            | 13    |
| 13   | An act to authorise assessments for railway damages,                                                                                                                              | 14    |
| 14   | An act to extend the provisions of the act concerning the registry of ships,                                                                                                      | 23    |
| 15   | An act to prevent the destruction of oysters,                                                                                                                                     | 23    |
| 16   | An act to amend the act to establish a more equal and just system of assessment,                                                                                                  | 24    |

| CAP.        | TITLES.                                                                                                                                              | PAGE. |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 17          | An act to amend and render perpetual the act to authorize special sittings of the supreme court for the trial of criminals,                          | 26    |
| 18          | An act to regulate the practice of physic and surgery,                                                                                               | 26    |
| 19          | An act to authorize assessments to procure fire engines,                                                                                             | 27    |
| 20          | An act to amend the act for the municipal government of counties,                                                                                    | 28    |
| 21          | An act to amend the act to establish a normal school,                                                                                                | 30    |
| 22          | An act to continue and amend the laws relating to education,                                                                                         | 31    |
| 23          | An act for the destruction of weeds injurious to agriculture,                                                                                        | 32    |
| 24          | An act to amend chapter 130 of the revised statutes, "Of the probate court," and the acts in amendment thereof,                                      | 34    |
| 25          | An act to amend chapter 118 of the revised statutes, "Of the sale of lands to satisfy execution debts,"                                              | 35    |
| 26          | An act to amend chapter 122 of the revised statutes "Of marriage and the solemnization thereof,"                                                     | 35    |
| 27          | An act to amend chapter 1 of the acts of 1854, entitled, "An act to authorize the construction of railways within this province,"                    | 36    |
| 28          | An act to postpone the ensuing easter term of the supreme court at Halifax, and the sittings thereafter,                                             | 36    |
| 29          | An act for applying certain monies therein mentioned for the service of the year one thousand eight hundred and fifty-seven, and for other purposes, | 37    |
| LOCAL ACTS. |                                                                                                                                                      |       |
| 30          | An act to alter and amend the act concerning the city of Halifax,                                                                                    | 57    |
| 31          | An act to alter the time of holding the sessions for the county of Guysborough,                                                                      | 65    |
| 32          | An act to amend an act, entitled, "An act for the repair and maintenance of streets in the city of Halifax,"                                         | 65    |
| 33          | An act to amend chapter 44 of the acts of 1856, entitled, "An act for the repair and maintenance of streets in the city of Halifax,"                 | 66    |
| 34          | An act to amend the act respecting fire engines at Dartmouth,                                                                                        | 67    |

|    |                                                                                                                     |    |
|----|---------------------------------------------------------------------------------------------------------------------|----|
| 35 | An act to limit the erection of wooden buildings within the city of Halifax,                                        | 68 |
| 36 | An act to amend the act to limit the erection of wooden buildings in the city of Halifax,                           | 70 |
| 37 | An act to amend the act for regulating the marking of logs in the county of Queens,                                 | 71 |
| 38 | An act to provide for repairing the Cornwallis bridge,                                                              | 71 |
| 39 | An act to alter the time of holding the sessions for the county of Victoria,                                        | 71 |
| 40 | An act to provide for building a bridge over Five Mile River, in the county of Hants,                               | 72 |
| 41 | An Act to provide for building a bridge at Baddeck river, in the county of Victoria,                                | 72 |
| 42 | An act relating to electoral district, No: 8, in the settlement of New Annan,                                       | 73 |
| 43 | An act to provide for improving the road from Crow Harbor to Canso,                                                 | 73 |
| 44 | An act relating to the width of certain roads in the county of Digby,                                               | 74 |
| 45 | An act to authorise the sale of the school house at Bridgewater,                                                    | 74 |
| 46 | An act to provide for building a bridge at Cape Sable Island, in the county of Shelburne,                           | 75 |
| 47 | An act to continue the acts relating to the steamboat ferry across the harbor of Pictou,                            | 75 |
| 48 | An act to settle and confirm the limits of the town of Yarmouth,                                                    | 75 |
| 49 | An act to authorise an assessment on the county of Cape Breton for the erection of a lock-up house at North Sydney, | 76 |
| 50 | An act to change a polling place in the county of Pictou,                                                           | 77 |

PRIVATE ACTS.

|    |                                                                                                        |    |
|----|--------------------------------------------------------------------------------------------------------|----|
| 51 | An act to authorise the sale of the Gairloch and New Lairg meeting house,                              | 81 |
| 52 | An act to incorporate the trustees of the free church at Great Bras d'Or, in the Island of Boulardrie, | 81 |
| 53 | An act to incorporate the Halifax corresponding committee of the colonial church and school society,   | 83 |
| 54 | An act to incorporate the Trustees of Knox's free church at Baddeck, in the county of Victoria,        | 83 |
| 55 | An act to amend the acts to incorporate the trustees of Saint Matthew's church in Halifax,             | 85 |

| CAP. | TITLES.                                                                                                                                           | PAGE. |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 56   | An act to incorporate the trustees of the first Baptist church at Horton,                                                                         | 85    |
| 57   | An act to incorporate the trustees of the free church congregation at Broad Cove Intervale, in the county of Inverness,                           | 86    |
| 58   | An act to authorise the sale of the old Baptist meeting house in Windsor,                                                                         | 87    |
| 59   | An act in further amendment of the act to incorporate the inland navigation company,                                                              | 87    |
| 60   | An act to incorporate the Minas hall company,                                                                                                     | 88    |
| 61   | An act incorporate the Musquodoboit River navigation company,                                                                                     | 89    |
| 62   | An act to incorporate the union iron mining company of Digby county,                                                                              | 92    |
| 63   | An act to incorporate the trustees of the Baptist parsonage at Chester,                                                                           | 94    |
| 64   | An act to incorporate the Digby and Bridgetown steamboat company,                                                                                 | 95    |
| 65   | An act to incorporate the Port Medway ship-building and fishery company,                                                                          | 95    |
| 66   | An act to incorporate the Safe Harbor pier company,                                                                                               | 96    |
| 67   | An act to incorporate the Margaretville fishing company,                                                                                          | 97    |
| 68   | An act to incorporate the Trout Cove pier company,                                                                                                | 98    |
| 69   | An act to continue the act to incorporate the Avon marine insurance company,                                                                      | 98    |
| 70   | An act to repeal the act to enable the Halifax water company to construct a reservoir on the common of Halifax, and the act in amendment thereof, | 99    |
| 71   | An act to increase the capital stock of the Halifax gas light company,                                                                            | 99    |
| 72   | An act to enable Henry Bessemer to obtain letters patent,                                                                                         | 100   |
| 73   | An act to enable Eliakim Tupper to obtain letters patent for the invention of a machine for the manufacturing of shingles,                        | 100   |
| 74   | An act to naturalize Seth Kimbal, Charles Lewis, John Schulte, Frederick G. D' Utassy, James Farnham, and Henry Hesslein,                         | 101   |

# TABLE OF STATUTES

OF

## NOVA SCOTIA.

21°. VICTORIÆ.

1858.

### PUBLIC STATUTES.

| CAP. | TITLES.                                                                                                                                                                                                                                                                                   | PAGE. |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 1    | An act for giving effect to the surrender to Her Majesty by the legal personal representatives of the late Duke of York and Albany, and by the General Mining Association and their Trustee, of the Mines in Nova Scotia, and to the lease of part of such Mines to the said Association, | 1     |
| 2    | An act to extend the operation of certain Grants of Land,                                                                                                                                                                                                                                 | 20    |
| 3    | An act to authorize a Provincial Loan,                                                                                                                                                                                                                                                    | 21    |
| 4    | An act to continue and amend the Laws imposing Customs Duties,                                                                                                                                                                                                                            | 22    |
| 5    | An act to continue and amend the Law to regulate Distilleries,                                                                                                                                                                                                                            | 23    |
| 6    | An act to continue the Law imposing Light House duties,                                                                                                                                                                                                                                   | 23    |
| 7.   | An act to amend chapter 10 of the acts of 1857, entitled, "An act to amend the New Practice Act,"                                                                                                                                                                                         | 23    |
| 8    | An act further to amend the act 18th Victoria, chapter 16, relating to the inspection of Fish,                                                                                                                                                                                            | 24    |
| 9    | An act to amend chapter 79 of the Revised Statutes, "Of Partnerships,"                                                                                                                                                                                                                    | 24    |
| 10   | An act to amend the act to prevent the destruction of Oysters,                                                                                                                                                                                                                            | 24    |
| 11   | An act to carry out the provisions of "An act to authorize a loan for the construction of Railways within this Province," so far as relates to the City of Halifax,                                                                                                                       | 25    |
| 12   | An act to amend chapter 126 of the Revised Statutes, "Of the Supreme Court and its Officers,"                                                                                                                                                                                             | 27    |

|    |                                                                                                                    |    |
|----|--------------------------------------------------------------------------------------------------------------------|----|
| 13 | An act to provide for the erection of a Court House in Halifax,                                                    | 28 |
| 14 | An act to establish the boundary line between the Provinces of Nova Scotia and New Brunswick,                      | 29 |
| 15 | An act further to amend chapter 46 of the Revised Statutes, "Of County Assessments,"                               | 30 |
| 16 | An act for the more summary trial and punishment of Petty Offences.                                                | 33 |
| 17 | An Act further to amend the act for the Municipal Government of Counties,                                          | 34 |
| 18 | An act to amend the act to authorize Assessments for Railway Damages,                                              | 35 |
| 19 | An act to provide for the Registry of Warrants to confess Judgment,                                                | 35 |
| 20 | An act further to amend the Law relating to Witnesses and Evidence and the proof of Written Documents,             | 36 |
| 21 | An act to amend chapter 42 of the Revised Statutes, "Of Clerks of the Peace,"                                      | 37 |
| 22 | An act relating to Trusts and Trustees,                                                                            | 37 |
| 23 | An act to amend chapter 89 of the Revised Statutes, "Of the settlement and support of the Poor,"                   | 38 |
| 24 | An act further to amend the act to establish a Normal School,                                                      | 39 |
| 25 | An act to amend chapter 168 of the Revised Statutes, "Of the administration of Criminal Justice,"                  | 39 |
| 26 | An act to amend the Jury Law,                                                                                      | 40 |
| 27 | An act to amend chapter 48 of the Revised Statutes, "Of Townships and Township Officers,"                          | 40 |
| 28 | An act to amend the acts relating to the River Fisheries,                                                          | 41 |
| 29 | An act to amend chapter 147 of the Revised Statutes, "Of Petty Trespasses and Assaults,"                           | 41 |
| 30 | An act for the punishment of certain offences relating to the Army and Navy,                                       | 42 |
| 31 | An act to amend the act to establish a more equal and just system of Assessment, and the act in amendment thereof, | 44 |
| 32 | An act to regulate the purchase of old Marine Stores,                                                              | 44 |
| 33 | An act for regulating the office of Inspector of Mines in this Province,                                           | 45 |
| 34 | An act to amend the act to authorize the construction of Railways in this Province,                                | 47 |
| 35 | An act for the Consolidation of the Laws,                                                                          | 48 |
| 36 | An act for securing the independence of the Legislature,                                                           | 49 |

|    |                                                                                                                                                                                                                                                                                                                                                                  |    |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 37 | An act to amend the act concerning the Elective Franchise,                                                                                                                                                                                                                                                                                                       | 50 |
| 38 | An act for the management of the Hospital for the Insane,                                                                                                                                                                                                                                                                                                        | 51 |
| 39 | An act to revive and continue the Laws relative to the Militia,                                                                                                                                                                                                                                                                                                  | 56 |
| 40 | An act to amend the Law relating to Commissioners of Streets,                                                                                                                                                                                                                                                                                                    | 56 |
| 41 | An act to continue and amend the Laws relating to Education,                                                                                                                                                                                                                                                                                                     | 57 |
| 42 | An act to extend to this Province certain provisions of Part Third of the Merchant Shipping Act, 1854,                                                                                                                                                                                                                                                           | 57 |
| 43 | An act to amend chapter 2 of the Revised Statutes, "Of Executive and Legislative Disabilities,"                                                                                                                                                                                                                                                                  | 59 |
| 44 | An act to amend chapter 154 of the Revised Statutes, "Of Costs and Fees,"                                                                                                                                                                                                                                                                                        | 60 |
| 45 | An act to amend chapter 58 of the Revised Statutes, "Of Indians,"                                                                                                                                                                                                                                                                                                | 60 |
| 46 | An act relating to Fires,                                                                                                                                                                                                                                                                                                                                        | 61 |
| 47 | An act to regulate licenses for the sale of Intoxicating Liquors,                                                                                                                                                                                                                                                                                                | 62 |
| 48 | An act to amend an act which passed at the present Session, entitled, "An act for giving effect to the surrender to Her Majesty by the legal personal representatives of the late Duke of York and Albany, and by the General Mining Association and their Trustee, of the Mines in Nova Scotia, and to the lease of part of such Mines to the said Association, | 72 |
| 49 | An act for applying certain Monies therein mentioned for the service of the year one thousand eight hundred and fifty-eight, and for other purposes,                                                                                                                                                                                                             | 92 |

## LOCAL ACTS.

|    |                                                                                                          |     |
|----|----------------------------------------------------------------------------------------------------------|-----|
| 50 | An act to authorize the construction of an Aboliteau across Messenger Creek, in the County of Annapolis, | 109 |
| 51 | An act to legalize the Jury Lists for the County of Yarmouth,                                            | 109 |
| 52 | An act to add a Polling Place in Queens County,                                                          | 109 |
| 53 | An act to amend the act to alter the time of holding the Sessions for the County of Victoria,            | 110 |
| 54 | An act to legalize the Jury Lists for the County of Inverness,                                           | 110 |
| 55 | An act to authorize the sale of the old Court House at Sherbrooke,                                       | 110 |

| CAP. | TITLES.                                                                                                                   | PAGE. |
|------|---------------------------------------------------------------------------------------------------------------------------|-------|
| 56   | An act for naming the Village of Welsford, in the County of Pictou,                                                       | 111   |
| 57   | An act to establish a Polling District at Dalhousie, in Kings County,                                                     | 111   |
| 58   | An act to provide for repairing the Bridgewater Bridge, in the County of Lunenburg,                                       | 112   |
| 59   | An act to amend the act for the regulation of the Town Marsh at Annapolis,                                                | 112   |
| 60   | An act relating to a Burial Ground in the Town-plot of Newport,                                                           | 113   |
| 61   | An act to provide for a public Road and Slip at Digby,                                                                    | 114   |
| 62   | An act to legalize the proceedings of the Sessions of the County of Richmond,                                             | 114   |
| 63   | An act to authorize the sale of the Colchester Academy,                                                                   | 114   |
| 64   | An act to alter certain Polling Places and the boundaries of certain Electoral Districts in Cumberland,                   | 115   |
| 65   | An act relating to the width of certain Roads in the County of Digby,                                                     | 116   |
| 66   | An act to authorize a loan to pay for certain public services in the County and Township of Pictou,                       | 116   |
| 67   | An act to provide for the extension of the new Eastern Road between Manchester and the Strait of Canso,                   | 117   |
| 68   | An act to provide for the extension of the new Road from Antigonishe to the Strait of Canso,                              | 117   |
| 69   | An act to provide for the construction of certain Roads in Hants County,                                                  | 118   |
| 70   | An act to define, extend, and establish the lines of Townships in the County of Lunenburg,                                | 118   |
| 71   | An act to authorize the placing of a Draw in the Lower Cornwallis Bridge,                                                 | 119   |
| 72   | An act to provide for the erection of a Poor House in Cornwallis,                                                         | 119   |
| 73   | An act to repeal the act for the Municipal Government of Counties, so far as relates to the Township of Yarmouth,         | 120   |
| 74   | An act to authorize a loan for the purchase of a Lot and the construction thereon of a Water Tank for the Town of Pictou, | 121   |
| 75   | An act respecting the General Assessment of the City of Halifax for the present year,                                     | 121   |
| 76   | An act to legalize the proceedings of the Special Sessions in Pictou,                                                     | 122   |
| 77   | An act to amend the act, entitled, "An act to limit the erection of Wooden Buildings within the City of Halifax,"         | 122   |





At the general assembly of the province of Nova-Scotia, begun and holden at Halifax, on Tuesday, the fourth day of November, 1851, in the fifteenth year of the reign of our sovereign lady Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, defender of the faith, &c. &c. &c., being the first session of the twentieth general assembly convened in the said province.\*

\*In the time of Sir John Harvey, lieutenant-governor; Michael Tobin, president of the legislative council; William Young, speaker of the assembly; Joseph Howe, provincial secretary; and Joseph Whidden, clerk of assembly.

## CHAPTER 1.

### An Act relative to the Sittings of certain Courts, and proceedings thereat.

(Passed the 24th day of November, A. D. 1851.)

#### SECTION

1. Michaelmas term to commence 2d Tuesday of December.
2. Writs, &c. made returnable on first return day.

#### SECTION

3. Last term of supreme court at Shelburne legally held.

1. The next ensuing Michaelmas term of the supreme court at Halifax shall commence and be held on the second Tuesday of December, in the present year; and the second return day shall be on the third Tuesday of December; and the sittings for trial thereafter shall commence and be held on the fourth Tuesday of December, instead of the times by law prescribed therefor respectively.

Michaelmas term to commence 2d Tuesday of Decr.

2. All writs, process, recognizances, or complaints, or other proceedings, which are now or shall be made returnable to such next term of the supreme court at Halifax, or which shall have been intended so to be, whether the same shall have been or shall be made returnable to the third or fourth Tuesday of November, shall be deemed returnable and be returned on the first return day hereby appointed for such term; and all parties, officers, witnesses, and persons who are summoned or bound to appear at such term or the sittings thereafter respectively shall be held and obliged to appear at such term and sittings respectively at the days on which such terms or sittings are hereby respectively directed to be held.

Writs, &c. made returnable on first return day.

3. The last term of the supreme court at Shelburne held on the first Wednesday of October, being the time, before the passing of the revised statutes, prescribed therefor; instead of the second Wednesday after the last Tuesday of September, as provided in such revised statutes, shall be deemed to have been legally held, and all proceedings had thereat, if in other respects legal, are hereby confirmed.

Last term of sup. court at Shelburne legally held.

## CHAPTER 2.

An Act to make provision for the construction of a Trunk Railway through British North America.

(Passed the 29th day of November, A. D. 1851.)

## SECTION

1. Government authorized to enter into arrangement with Canada and New Brunswick relative to the construction of a railway from Halifax to Quebec, &c.
2. Expense to be defrayed out of funds to be raised for the purpose.
3. Appointment of Commissioners.
4. Railway to be a Provincial work.
5. Lands required for the railway.
6. Commissioners may enter on lands.
7. Agreements relative to damages to land and fencing.

## SECTION

8. Appraisalment where no agreement
9. Damage may be reduced if party receives benefit from the railway.
10. Money payable for lands, &c. to be county charge.
11. Scrip may be issued.
12. Money may be loaned to the province by individuals.
13. Working of the railway.
14. The amount to be raised not to exceed £1,000,000 sterling.

## Preamble.

WHEREAS the formation of railroads from Halifax to the rivers Detroit and Saint Croix, would consolidate and strengthen the provinces of British America, develop their resources, multiply their social and commercial relations, and afford increased facilities for rapid inter-communication with the British islands, and with all parts of this continent:

And whereas her majesty's government is prepared to advance the funds required to construct a portion of these works, on certain conditions:

And whereas Canada has made liberal provision for one third of a trunk line from Halifax to Quebec, and for the extension of that line to the river Detroit:

And whereas there is reason to anticipate the co-operation of New Brunswick in the completion of both lines passing through that province:

1. Whenever the funds necessary for the purpose shall be raised by loan, under the authority and guarantee of the parliament of the United Kingdom, or advanced as a loan to this province under such authority, or subscribed or loaned by individuals, as hereinafter provided, it shall be lawful for the governor in council to enter into such arrangements as may be deemed conducive to the interests of this province, with the government of the United Kingdom, and with the governments of Canada and New Brunswick, in reference to the construction of a railway from the harbour of Halifax, in Nova-Scotia, to some point opposite the city of Quebec, either by constructing the same on the joint account of this province and the provinces of Canada and New Brunswick in equal proportions, or by engaging to construct, at the expense of this province, that part of the railway lying within Nova-Scotia, or by making such other arrangements for the construction of the railway as may be agreed

Government authorized to enter into arrangement with Canada & N. Brunswick, rel. to the construction of a railway from Halifax to Quebec.

*By Act of 29 Nov 51*

upon with the government of the United Kingdom and such provincial governments; and for facilitating such arrangements, all the ungranted lands within this province lying within ten miles on each side of the of the line of the railway, are hereby placed at the disposal of the governor in council, to be appropriated, pledged, or otherwise dealt with, as may be thought best for the interests of the province with regard to such arrangements, it being understood and hereby declared that the legislature of this province will confirm and carry out, by such enactments as may be necessary to give full effect to the same, any arrangement and agreement which may be made by the governor in council, in the spirit and for the purposes of this act.

2. It shall be lawful for the governor, out of the funds to be raised or advanced for the purpose, to pay such sums as may be required to defray the expences of making that part of the railway which shall be made at the expence of this province under any such arrangement, or any other expences which, under such arrangement, are to be borne by this province.

Expense to be defrayed out of funds to be raised for the purpose.

3. Whenever the governments of Canada, New Brunswick, and Nova-Scotia, have completed the arrangements necessary, and determined on the construction of the work contemplated by this act, it shall be lawful for the governor in council to appoint not more than five commissioners, with full powers to construct such work, in conjunction with commissioners to be appointed in the other provinces, who shall be empowered, from time to time, to draw upon the receiver general for any amount, not to exceed one-third of the funds required for the same.

Appointment of Commissioners.

4. The main trunk line of railway, or such part thereof as may be made under the provisions of the preceding sections of this act, shall be a public provincial work; and the railway shall be made through this province on such line, and in such places, as the governor in council shall determine and appoint, as best adapted to promote the general interests.

Railway to be a provincial work.

5. The commissioners are authorised to enter upon and take possession of any lands required for the track of the railway or for stations, and they shall lay off the same by metes and bounds, and record a description and plan thereof in the registry of deeds for the county, and the same shall operate as a dedication to the public of such lands: but the lands so taken shall not be less than four nor more than eight rods in breadth for the track, nor more than five acres in extent for any station.

Lands required for the railway.

6. The commissioners may enter with workmen, carts, carriages and horses, upon any lands, and therefrom, for the making of such railroad, dig up and carry away stones and gravel, and cut down and carry away any trees, bushes, logs, poles and brushwood.

Commissioners may enter on lands.

7. The commissioners may make an agreement in writing with the proprietors of the land so taken for damages, and fencing, where such fencing shall be considered requisite by the commissioners, and also for materials for the road taken from any lands; and

Agreements relative to damages to land and fencing.

and the same shall be laid before the sessions, and if approved of, shall be confirmed.

Appraisement where no agreement.

8. Where no agreement shall be made, or the same shall not be confirmed, one appraiser shall be appointed by the sessions, a second by the persons interested in the lands, and on their default, after three days notice by the clerk of the peace, such two shall choose a third appraiser: and the appraisers shall be sworn to the faithful discharge of their duty, and they or any two of them shall make a valuation as to damages for lands, and fencing when requisite, or materials taken from any land, which valuation shall be final.

Damage may be reduced if party receives benefit from the railway.

9. In making such arrangement or appraisement, the benefit likely to be derived by the proprietor from the railway running through his land shall be taken into consideration, and the damages thereby reduced or extinguished.

Money payable for lands &c. to be a county charge.

10. The monies payable for such lands and fencing shall form a county charge, but in the apportionment of the assessment, the sessions shall have respect to the relative benefits derived from the railway by the several sections of the county, and shall appoint the assessment accordingly.

Scrip may be issued.

11. If any corporation or individual shall desire to invest monies in the railway fund applicable to the construction of this work, at their own risk, sharing with the government the hazard and the profit of the enterprise, it shall be lawful for the receiver general to issue scrip in sums not less than twenty-five pounds, bearing no interest, but entitling the holder to a share, proportioned to his investment, in the tolls and revenues of the road.

Money may be loaned to the Province by individuals.

12. Any person desiring to invest, on the credit of the Province, monies in the railway fund, applicable to the construction of this work, may pay any amount to the receiver general, under the same guards and regulations as now secure the monies invested in the savings' bank, provided that the rate of interest to be paid on such instalments shall be the same as the province pays for the loans advanced by her majesty's government.

Working of the railway.

13. Whenever the railway shall be completed from Halifax to Quebec, it shall be lawful for the governor in council to make, in conjunction with the governments of Canada and New Brunswick, such arrangements as may be suitable for working the railway as one line, by a common management, or for working that portion of the line which shall have been constructed at the risk of this province—such arrangements to be submitted to both branches of the legislature at the session then next ensuing; and during the progress of the work the governor in council shall have the like power over the portion of the line within this province, and arrangements made in reference thereto shall be submitted in like manner.

The amount to be raised not to exceed one million pounds, stg.

14. The total sum to be raised for the purposes of this act, upon the credit of the revenues of this province, shall never exceed in the whole the sum of one million of pounds sterling, including the stock to be held by the city of Halifax, and any stock that may be taken by private individuals.

15. This act shall not go into operation unless provision be made by the province of New Brunswick for the construction of a branch line, from some convenient point of intersection with the with the main trunk line, to the river Saint Croix.

### CHAPTER 3.

An Act for raising, by way of loan, a sum not exceeding one million of pounds sterling, for the construction of a Trunk Railway through British North America.

*Repealed  
Act of 1851  
June 7 4*

(Passed the 29th day of November, A. D. 1851.)

#### SECTION

1. Sum not exceeding £1,000,000 sterling may be raised to construct a railway from Halifax to Quebec.
2. Loan to be charged on the general revenues of the province.
3. Amount payable for mails, &c.
4. Principal not to be charged on revenues till railway pays expenses and interest.
5. Money, how to be received and paid.

#### SECTION

6. Accounts, &c. to be laid before the legislature.
7. City of Halifax to hold stock to the amount of £100,000 sterling.
8. Monies to be accounted for to the lords of the treasury.
9. Tariff of 1851 to form basis of revenue laws until road built shall nett 3 1-2 per cent.

WHEREAS her majesty's government is disposed, on certain conditions, to recommend to parliament that the credit of the United Kingdom shall be employed to enable the provinces of Canada, New Brunswick, and Nova-Scotia, to raise upon advantageous terms, the funds necessary for the construction of a line of railway, from the harbour of Halifax, in Nova-Scotia, to Quebec or Montreal, in the province of Canada : Preambles.

And whereas the parliament of this province hath, during the present session, passed an act for the construction of that portion of the railway from the harbour of Halifax to Quebec, which is to be made by this province, provided the necessary funds shall be raised under the authority and guarantee of the parliament of the United Kingdom, or advanced as a loan to this province under such authority :

1. The sum necessary for defraying the expenses of making such part of the railway from the harbour of Halifax to some point opposite the city of Quebec, as may be to be made under the provisions of the act passed in the present session, and entitled, " An act to make provision for the construction of a trunk railway through British North America," and the arrangements under the same, or any other expenses, which, under any such arrangement, are to be borne by this province, may be raised and borrowed under the provisions of any act which shall be passed by the parliament of the United Kingdom authorising the advance of such sums to this province from the treasury of the United Kingdom, or guaranteeing

Sum not exceeding one million pounds sterling may be raised to construct a railway from Halifax to Quebec.

the repayment of the sums so borrowed, the due payments of dividends and interest thereon, or providing in any other way for the employment of the credit of the United Kingdom, so as to ensure the raising of such sums on advantageous terms; and the sums so raised shall be applied to the purposes for which they are hereby authorized to be raised and no other; but the sums to be raised under the authority of this act shall not in the whole exceed the sum of one million of pounds sterling, including the stock held by the city of Halifax as hereinafter mentioned, and any stock that may be taken by private individuals.

2. Such sums as may be raised and borrowed under and subject to the provisions of any such act of the parliament of the United Kingdom, by any person appointed in that behalf by her majesty or by the governor of this province, by loan debentures or otherwise: and the principal sums so raised, and the dividends and interest thereon, are hereby charged on the general revenues of this province, of which the profits coming to this province from any part of the railway made with the funds raised under this act, shall form part, and shall be the first charge thereon, after any previously existing debts of the province, and the sums payable under any act then in force granting a civil list to her majesty,

3. The annual sums payable for the transmission of British mails and troops shall be carried to the credit of the loan contracted, and shall, together with the nett profits of the railway, after deducting working expenses and interest, form a sinking fund for the liquidation of such loan.

4. Until the railway shall pay its working expenses, and the annual interest due upon the loan contracted, no part of the principal sum shall be chargeable upon the revenues of this province, nor shall the sinking fund ever consist of more than two per cent. per annum, if chargeable on the provincial revenues, on the principal sums so to be raised and borrowed.

5. The principal sums so to be raised, and borrowed, shall be received from time to time, as the same may be raised, by the receiver-general, who shall, upon the warrants of the governor, pay out of the same such sums as may, from time to time, be required for defraying the expenses made payable out of the same by this act, and the act of this session hereinbefore referred to; and who shall also, upon the warrants of the governor, pay the dividends and interest upon the sums so raised and borrowed, as the same shall become due, together with the sums accruing to the sinking fund; and such fund shall be paid and managed in such manner, for the redemption and liquidation of the principal sums, as shall be agreed upon and negotiated when the principal sums shall be raised and borrowed; or if there be no such agreement in that behalf, then in such manner as the governor in council shall, from time to time, direct and appoint, subject however to the provisions of this act—and it is hereby declared that the parliament of this province will confirm and carry out, by such legislative enactments, if any, as may be necessary to give full effect to the same, any arrangement

Loan to be charged on the genl. revenues of the Province.

Amount payable for mails &c.

Principal not to be chargeable on revenues till railway pays expenses and interest.

Money, how to received & paid.

or agreement not inconsistent with the spirit of this act, and of the act of this session hereinbefore referred to, which may be made or authorised by the governor in council, with regard to the raising and borrowing the sums aforesaid, under the provisions of any act to be passed by the parliament of the United Kingdom in that behalf, and for the purpose of complying with the requirements of such act.

6. The receiver general shall, before each session of the provincial parliament, transmit to the governor, for the purpose of being laid before the two houses of the legislature, a correct and detailed statement and account of the sums raised under the authority of this act, and of the debentures and other securities which shall have been issued, and of the dividends and interest paid thereon, and of the sinking fund, and of the redemption of the whole or any part of the principal sum by means of the sinking fund, or otherwise, and of the expenses attending the negotiation, management, payment, and redemption of the loan.

Accounts, &c.  
to be laid before  
the legislature.

7. The city of Halifax shall be considered as holding stock in the railway to the extent of one hundred thousand pounds sterling, and shall be entitled to participate in the profits of the railway in proportion to the amount of such stock, and shall be assessed annually for the amount of interest thereon, at the same rate of interest at which the loan is obtained: and also for a proportionate amount of such sums as may be chargeable against the general revenues of this province for the sinking fund, such annual sums to be assessed and levied in the same manner in which other city rates are now assessed and levied, and to be paid into the hands of the receiver general, to form a part of the general revenues of this province; and to continue to be so annually assessed, levied, and paid in, until the loan obtained under this act shall become extinguished under the provisions thereof.

City of Halifax  
to hold stock to  
the amount of  
£100,000 stg.

8. The due application of the monies to be raised under the authority of this act, and of all sums to be expended under such authority, shall be accounted for to her majesty, through the lords commissioners of her majesty's treasury for the time being, in such manner and form as her majesty shall direct, and an account of all sums expended under the authority of this act shall be laid before both houses of the provincial parliament within fifteen days after the opening of the session thereof next after such expenditure.

Monies to be ac-  
counted for to  
the lords of the  
treasury.

And whereas, for the maintenance of the credit and good faith of this province, it is indispensable that the annual revenues from all sources should never fall short of the amount collected in the present year, while any portion of the loan contemplated by this act remains due and unpaid.

9. Until the monies advanced or guaranteed by the imperial government shall have been repaid, or until the roads built with the same shall yield an nett income of three and a half per cent., the tariff of the year one thousand eight hundred and fifty-one shall form the basis of the revenue laws of this province, and shall not be varied or changed so as to diminish the amount of security which it is the intention and meaning of this act should be pledged to her

Tariff of 1851  
to form basis of  
revenue laws  
until road built  
shall nett 3 1/2  
per cent.

majesty's government: But nothing herein contained shall be construed: to prevent the legislature from annually revising such tariff, or from making regulations in respect to trade and the protection of the revenue—due care being taken that any alterations to be made shall not diminish the nett income of the province below the amount collected or to be collected in the year one thousand eight hundred and fifty-one: and that changes which may so operate, shall, before becoming law, be reported to and approved of by her majesty's government.

*india Act of 1854 C 30/32* **CHAPTER 4.**

**An Act relative to the Crown Land Department.**

(Passed the 29th day of November, A. D. 1851.)

| SECTION                                                                   | SECTION                                 |
|---------------------------------------------------------------------------|-----------------------------------------|
| 1. Title of commissioner.                                                 | 7. Price of ungranted land.             |
| 2. Duties of.                                                             | 8. Grants.                              |
| 3. Governor may modify regulations.                                       | 9. When grants may be declared void.    |
| 4. Commissioner to be the guardian of young persons landed as immigrants. | 10. Governor may sell or release lands. |
| 5. Governor to direct surveying of lands.                                 | 11. Reservation of lands for Indians.   |
| 6. Duty of deputy surveyors.                                              | 12. Chap. 28 repealed.                  |

Title of commissioner.

1. The surveyor general and commissioner of crown lands shall hereafter be styled "commissioner of crown lands."

Duties of.

2. It shall be the duty of the commissioner of crown lands, in addition to his present duties, when so required by the governor in council:

To cause a survey to be made of all the crown lands within ten miles on each side of any line of railroad which may be first put under contract in this province—such lands to be laid off in lots of one hundred acres each, except in the neighbourhood of any railway station, or other desirable locality, where town lots of smaller dimensions may be laid off.

To prepare and cause to be lithographed, plans or maps of such lands, with the lots numbered, and the course of the railroad, or of any streams or public roads running through the same, and the price of the lots clearly indicated thereon.

To sell, without reference or delay, where there is no adverse possession, at such price as may have been affixed by order of the governor in council, any such lot, to which the title of the crown is clear.

To forward to every emigrant agent in the united kingdom copies of such plans, with a public advertisement of the lands thus offered for sale.

To correspond with the commissioners of lands and emigration in the united kingdom, or other legally constituted authorities within the same, supplying them, from time to time, with infor-

mation, and co-operating with them for the speedy sale and settlement of the public lands.

To collect, through the deputy surveyors in each county annual returns of the number of tradesmen, mechanics, laborers, and apprentices, which the former settlements in such counties would probably require.

To transmit copies of such returns to the commissioners of lands and emigration in december, in each year, and generally to superintend and facilitate the transmission and location of such immigrants as may land at any port within the province, of which he shall have due notice.

3. The governor in council may from time to time modify, alter or change the above regulations, such alterations to be published in the royal gazette, and laid before the legislature at the next ensuing session.

Governor may modify regulations.

4. The commissioner of crown lands, and any deputy surveyor who may be commissioned for the purpose by the governor, shall be the legal guardian of such young persons as may be landed in the province, under the authority and at the expence of the commissioners of land and emigration or of any legally constituted board, having the sanction of her majesty's government—such officers having power to bind, by indenture, such young persons until they are twenty-one years of age, and to protect them from ill treatment or neglect, by appeal to the ordinary tribunals, in as ample a manner as an other apprentices are now protected by law: but no greater number of such young persons shall be so protected than shall have been forwarded to the province on requisition from the commissioner of crown lands; and the expence of maintaining them after their arrival, and forwarding them to their destination, and of the requisite indentures, shall be paid or refunded by the persons to whom they are bound.

Commissioner to be the guardian of young persons landed as immigrants.

5. The governor in council may direct the surveying and laying off, in manner herein before mentioned, of other lands than those mentioned in section two, and may direct plans thereof to be prepared and such other steps taken in relation thereto, as may be deemed advisable.

Governor to direct surveying of lands.

6. It shall be the duty of the deputy surveyors in the different counties:

Duty of deputy surveyors.

To collect information within their counties relating to the ungranted lands therein, the quality, description, and value of the buildings on the occupied portions thereof, and the quality of the soil and the quantity and quality of the timber thereon, and transmit the same to the commissioner of crown lands.

To receive and transmit to the crown lands office all applications for grants—the same, where no previous survey has been made, to be accompanied by a plan of the lands applied for upon a survey and running out thereof by the deputy surveyor, made at the expence of the applicant; and also by a report setting forth the quality, situation, and value of the land, and whether any and what portion thereof has been occupied or improved, and by whom,

—when a survey shall have been previously made to refer specifically thereto, and to the number of the lot on any plan thereof, and the state of the land at the time of the application; and whether it has been occupied, and if so, by whom, and what in his opinion is the then value of it—the value in either case, if improved, to be estimated as if in its original state, and separately taking into consideration such improvements.

Price of un-granted land.

7. The governor in council may, from time to time, subject to the previous provisions, settle the price to be paid for ungranted lands, and the manner of making application therefor.

Grants.

8. Any of her majesty's subjects may, upon due application to the commissioner of crown lands, subject to the operation of the previous provisions, become the purchaser of such lands as may be for sale, and he shall immediately pay the price and be entitled to possession, and to a grant in fee simple, subject to such reservations and conditions as may be deemed necessary.

When grants may be declared void.

9. If, at the time of any application, there was any dwelling house on the lands in which any person other than the applicant then and for a year previously had continually resided, or in case five acres at least of the land had been cleared or cultivated during such person's actual possession, and had been for at least one year in his constant use, then, unless such fact shall have been communicated to the commissioner before the passing of the grant, the governor in council may, within two years from the passing thereof, if it shall appear proper so to do, declare the grant to be vacated, and the same shall thereupon become void.

Governor may sell or lease lands.

10. The governor in council may, from time to time, sell or lease any lands, at such price, and for such tenure, time or use, either as regards the land, or timber, quarries, or mines thereon, or other benefit to be derived therefrom, as may be deemed expedient.

Reservation of lands for Indians.

11. The governor in council may reserve lands for the use of the Indians: may divide existing reservations, and vest in the commissioner of crown lands the title to such lands, and the duty of protecting the rights of the Aborigines who are disposed to settle thereupon.

Chapter 28 repealed.

12. Chapter 28 of the revised statutes is repealed.

## CHAPTER 5.

### An Act for the Incorporation of Land Companies.

(Passed the 29th day of November, A. D. 1851.)

#### SECTION

1. Formation of association for improvement of lands.—privileges, liabilities, and construction of the company.

#### SECTION

2. Power of company over lands.
3. Company may contract for railway running through their lands.

Formation of an Association for

1. Whenever any British subjects desire to form an association for the purchase and improvement of crown lands on the lines of

the contemplated trunk line of railroad from Halifax to Quebec, they may transmit the names of such persons, not less than twenty, as they wish to represent them, to the commissioners of lands and emigration, to be transmitted to the lieutenant-governor of this province, who shall thereupon, if, with the advice of council, it be determined to invest such persons with corporate powers, direct their names to be inserted in the royal gazette, and a patent to issue, clothing such persons and their co-partners, with the privileges and legal liabilities of a corporation, upon the following terms, subject to such restrictions as may, by the governor in council, be deemed necessary :

improvement  
of lands.

First—The name of the company, and the names of its directors, to be lodged in the office of the provincial secretary, with an impression of its common seal.

Privileges, liabilities, and restrictions of the company.

Second—The directors to be liable to the whole extent of their fortunes for the debts of the company, being vested with power to sue and be sued in their corporate capacity.

Third—The shareholders to be liable only to the extent of their shares.

Fourth—The company to purchase fifty thousand acres of crown lands on the line of railroad, at such price as may be determined upon by the government, with power to purchase any further quantity, when one-half of the original purchase has been sold and settled.

Fifth—The lands to be laid off in lots of one hundred acres, at the expense of the government, and numbered on the plans from one to five hundred, it being provided in the general grant, that every lot on which there is not a dwelling house actually occupied, and at least five acres of land cleared and improved, at the end of ten years from the date of its purchase, shall revert to the government, and become a part of the public domain, upon a declaration of the governor in council to that effect, without office found.

Sixth—Where the lands purchased are in one block, and are not included in any township, they shall be formed into a township, and the inhabitants, whenever they shall number one hundred heads of families, shall be invested, by law, with all the privileges of township organization.

Seventh—The capital of the company shall be limited to fifty thousand pounds, but may be increased by one pound for every acre of land purchased from the provincial government above the quantity specified in the fourth condition.

2. The company shall have power over such lands as they shall purchase—over mines not subject to legal reservations—over the standing timber, mill sites, and water privileges, and may lay off and sell such lands in town-lots or blocks of less or more than one hundred acres, at their option, and for the general advantage.

Power of company over land.

3. The company may enter into contracts with any commissioners appointed by the provincial government, to construct so much of the railway as will run through the lands purchased, and to work and repair such railway after it is made; but no greater

Company may contract for railways running through their lands.

amount shall be charged for the construction and working of such sections of the railway than is paid for constructing and working other portions of the line.

## CHAPTER 6.

An Act for applying certain monies for the services therein specified.

(Passed the 29th day of November, A. D. 1851.)

### SECTION

1. Pay of members of assembly.
2. £506 17s. 3d. contingent expenses of assembly.

### SECTION

3. £258 contingent expenses of legislative council.
4. £150 Reporting debates of assembly.

MAY IT PLEASE YOUR EXCELLENCY :

We, her majesty's dutiful and loyal subjects, the house of assembly of her majesty's province of Nova-Scotia, towards appropriating the supplies granted to her majesty, and for supplying the exigencies of her majesty's government, do humbly beseech that it may be enacted; and,

1. The sum of one pound per day is granted to each and every member of the house of assembly, for their attendance in general assembly for the present session, to be paid on the certificate of the speaker, also the travelling charges as heretofore.

2. The sum of five hundred and six pounds seventeen shillings and three-pence, is granted and placed at the disposal of the clerk of the house of assembly, to defray the contingent expenses of that branch of the legislature during the present session.

3. The sum of two hundred and fifty-eight pounds, is granted and placed at the disposal of the clerk of the legislative council, to defray the contingent expenses of that branch of the legislature during the present session.

4. The sum of one hundred and fifty pounds, is granted and placed at the disposal of the governor, to be applied under the direction of the committee on reporting, in paying for the expences incident to the reporting of the debates during the present session.

Pay of members  
of assembly.

£506 17s. 3d.  
contingent ex-  
penses of assem-  
bly.

£258 contin-  
gent expenses  
of legislative  
council.

£150 reporting  
debates of as-  
sembly.

PRIVATE ACT.

## CHAPTER 7.

## An Act to Naturalize Hans Peter Burke and Lewis F. Anderson.

(Passed the 29th day of November, A. D. 1851.)

SECTION 1.—Hans Peter Burke, and Lewis F. Anderson, naturalized.

BE it enacted, by the lieutenant-governor, council, and assembly, as follows:

1. Hans Peter Burke, and Lewis F. Anderson, both at present of the city of Halifax, mariners, so soon as they shall severally take and subscribe the oath of allegiance to her majesty queen Victoria, and her successors, in manner prescribed by the revised statutes of this province, part one, title eight, chapter thirty-two, "of the naturalization of aliens," shall, within the limits of this province, become naturalized subjects of her majesty, entitled to all the rights of such subjects as fully as the same can be conferred under or by virtue of the act of the imperial parliament, passed in the tenth and eleventh years of her majesty's reign, entitled, "an act for the naturalization of aliens."

Hans Peter  
Burke, and  
Lewis F. Ander-  
son, naturaliz-  
ed.

At the general assembly of the province of Nova-Scotia, begun and holden at Halifax, on Thursday, the twenty-ninth day of January, 1852, in the fifteenth year of the reign of our sovereign lady Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, defender of the faith, &c. &c. &c., being the second session of the twentieth general assembly convened in the said province.\*

\*In the time of his honor John Bazelgette, administrator of the government; Michael Tobin, president of the legislative council; William Young, speaker of the assembly; Joseph Howe, provincial secretary; and Joseph Whidden, clerk of assembly.

## CHAPTER 1.

### An Act for further improving the administration of Criminal Justice.

(Passed the 31st day of March, A. D., 1852.)

#### SECTION

1. Amendment of indictments.
2. Verdicts where amendments made.
3. Records in cases of amendment.
4. Indictment for murder and manslaughter.
5. Indictment for forgery, &c.
6. Indictment for engraving, &c.
7. Designation of instrument in indictment.
8. Allegation necessary in the indictment.
9. Verdict of jury in cases where offences are not completed.
10. Chapter 1CS, sec. 29, revised statutes repealed.
11. Indictment for robbery where person is guilty of assault.
12. Persons tried for misdemeanor and found guilty of felony not to be acquitted.
13. Persons on trial for embezzlement not to be acquitted if guilty of larceny.
14. Indictment for receiving stolen goods.
15. Indictment against accessories.

#### SECTION

16. Several counts in an indictment for distinct acts of stealing.
17. Proceedings on trial where property stolen at different times.
18. Description of money, bank notes, &c. in indictments.
19. Judges may direct prosecutions against persons appearing to be guilty of perjury in evidence, given before them.
20. In indictments for perjury the substance of the offence may be set forth.
21. Indictments for subornation of perjury.
22. Certificate of clerk of crown on indictments for perjury.
23. No venue need be stated.
24. When indictment not to be held insufficient.
25. Objections to indictment when to be taken.
26. Persons prosecuted not allowed to traverse indictment.
27. Pleas of autre fois convict or acquit.
28. Definition of the word "indictment."

Whereas offenders frequently escape conviction on their trials by reason of the technical strictness of criminal proceedings in matters not material to the merits of the case: And whereas such technical strictness may safely be relaxed, in many instances, so as

Preamble.

to ensure the punishment of the guilty, without depriving the accused of any just means of defence: And whereas a failure of justice often takes place on the trial of persons charged with felony and misdemeanor, by reason of variances between the statement in the indictment on which the trial is had, and the proof of names, dates, matters and circumstances therein mentioned, not material to the merits of the case, and by the misstatement whercof the person on trial cannot have been prejudiced in his defence:

Be it therefore enacted, by the lieutenant governor, council and assembly, as follows:

Amendment of  
indictments.

1. From and after the coming of this act into operation, whenever on the trial of any indictment for any felony or misdemeanor, there shall appear to be any variance between the statement in such indictment, and the evidence offered in proof thereof, in the name of any county, division, city, borough, town corporate, parish, township or place mentioned or described in any such indictment, or in the name or description of any person stated or alleged to be the owner of any property, real or personal which shall form the subject of any offence charged therein, or in the name or description of any person therein stated or alleged to be injured or damaged, or intended to be injured or damaged by the commission of such offence, or in the christian name or surname, or both, or in the other description whatsoever of any person therein named or described, or in the name or description of any thing therein named or described, or in the ownership of any property therein named or described, it shall be lawful for the court before which such trial shall be had, if it shall consider such variance not material to the merits of the case and that the defendant cannot be prejudiced thereby in his defence on such merits, to order such indictment to be amended according to the proof, by some officer of the court or other person, both in that part of the indictment where such variance occurs and in every other part of the indictment which it may become necessary to amend, on such terms as to postponing the trial to be had before the same or another jury or otherwise as such court shall think reasonable; and after any such amendment the trial shall proceed whenever the same shall be proceeded with in the same manner in all respects and with the same consequences with respect to the liability of witnesses to be indicted for perjury and otherwise as if no such variance had occurred; and in all such cases the order for the amendment shall either be endorsed on the indictment or engrossed and filed with the indictment and records of the court;—provided that in all such cases where the trial shall be so postponed, it shall be lawful for the court to respite the recognizances of the prosecutor and witnesses, and of the defendant and his sureties, if any, in which case the prosecutor and witnesses shall be bound to attend to prosecute and give evidence respectively; and the defendant shall be bound to attend to be tried at the time and place to which such trial shall be postponed, without entering into any fresh

recognizances for that purpose, in the same manner as if they had been originally bound by their recognizances to appear and prosecute, or give evidence at the time and place to which such trial shall have been so postponed;—provided also, that where any such trial shall be to be had before another jury, the crown and the defendant shall respectively be entitled to the same challenges as they were entitled to before the first jury was sworn.

2. Every verdict and judgment which shall be given after the making of any amendment under the provisions of this act, shall be of the same force and effect in all respects, as if the indictment had originally been in the same form in which it was after such amendment was made.

Verdicts where amendments made.

3. If it shall become necessary at any time, for any purpose, to draw up a formal record in any case where any amendment shall have been made under the provisions of this act, such record shall be drawn up in the form in which the indictment was after such amendment was made, without taking any notice of the fact of such amendment having been made.

Records in cases of amendment.

4. In any indictment for murder or manslaughter preferred after the coming of this act into operation it shall not be necessary to set forth the manner in which or the means by which the death of the deceased was caused; but it shall be sufficient in every indictment for murder to charge that the defendant did feloniously, wilfully and of his malice aforethought kill and murder the deceased; and it shall be sufficient in every indictment for manslaughter to charge that the defendant did feloniously kill and slay the deceased.

Indictment for murder and manslaughter.

5. In any indictment for forging, uttering, stealing, embezzling, destroying or concealing, or for obtaining by false pretences any instrument, it shall be sufficient to describe such instrument by any name or designation by which the same may be usually known, or by the purport thereof, without setting out any copy or fac simile thereof, or otherwise, describing the same or the value thereof.

Indictment for forgery, &c.

6. In any indictment for engraving or making the whole or any part of any instrument or thing, or for using or having the unlawful possession of any plate or other material, upon which the whole or any part of any instrument or thing shall have been engraved or made, or for having the unlawful possession of any paper upon which the whole or any part of any instrument or thing shall have been made or printed, it shall be sufficient to describe such instrument or thing by any name or designation by which the same may be usually known, without setting out any copy or fac simile of the whole or any part of such instrument or thing.

Indictment for engraving, &c.

7. In all other cases, wherever it shall be necessary to make any averment in any indictment as to any instrument, whether the same consists wholly or in part of writing, print or figures, it shall be sufficient to describe such instrument by any name or

Designation of instrument and indictment.

designation by which the same may be usually known, or by the purport thereof, without setting out a copy or facsimile of the whole or any part thereof.

Allegations necessary in the indictment.

8. After the coming of this act into operation it shall be sufficient in any indictment for forging, uttering, offering, disposing of or putting off any instrument, or for obtaining or attempting to obtain any property by false pretenses, to allege that the defendant did the act with intent to defraud, without alleging the intent of the defendant to defraud any particular person, and on the trial of any of the offences in this section mentioned, it shall not be necessary to prove an intent on the part of the defendant to defraud any particular person, but it shall be sufficient to prove that the defendant did the act charged with an intent to defraud.

Preamble.

And whereas offenders often escape conviction, by reason that such persons ought to have been charged with attempting to commit offences, and not with the actual commission thereof—for remedy thereof, be it enacted:

Verdict of jury in cases where offences are not completed.

9. If on the trial of any person charged with any felony or misdemeanor, it shall appear to the jury upon the evidence that the defendant did not complete the offence charged, but that he was guilty only of an attempt to commit the same, such person shall not, by reason thereof, be entitled to be acquitted, but the jury shall be at liberty to return as their verdict, that the defendant is not guilty of the felony or misdemeanor charged but is guilty of an attempt to commit the same; and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for attempting to commit the particular felony or misdemeanor charged in such indictment; and no person tried as lastly mentioned shall be liable to be afterwards prosecuted for committing or attempting to commit the felony or misdemeanor for which he was so tried.

Chapter 168, sec. 29, revised statutes repealed.

10. The twenty-ninth section of chapter one hundred and sixty-eight of the revised statutes is repealed.

Indictment for robbery where person is guilty of assault.

11. If, upon the trial of any person upon an indictment for robbery, it shall appear to the jury upon the evidence that the defendant did not commit the crime of robbery but that he did commit an assault with intent to rob, the defendant shall not, by reason thereof, be entitled to be acquitted, but the jury shall be at liberty to return as their verdict, that the defendant is guilty of an assault with intent to rob; and thereupon, such defendant shall be liable to be punished in the same manner as if he had been convicted upon an indictment, for assaulting, with intent to rob; and no person so tried shall be liable to be afterwards prosecuted for the robbery, or for an assault with intent to commit the robbery for which he was so tried.

Persons tried for misdemeanor and found guilty of felony not to be acquitted.

12. If upon the trial of any person for any misdemeanor it shall appear that the facts given in evidence amount in law to a felony, such person shall not, by reason thereof, be entitled to be acquitted of such misdemeanor, and no person tried for such mis-

demcanor shall be liable to be afterwards prosecuted for felony on the same facts unless the court before which such trial may be had, shall think fit in its discretion, to discharge the jury from giving any verdict upon such trial, and to direct such person to be indicted for felony; in which case such person may be dealt with in all respects as if he had not been put upon his trial for such misdemeanor.

13. If upon the trial of any person indicted for embezzlement as a clerk, servant or person employed for the purpose or in the capacity of a clerk or servant, it shall be proved that he took the property in question in any such manner as to amount in law to larceny, he shall not, by reason thereof, be entitled to be acquitted but the jury shall be at liberty to return as their verdict that such person is not guilty of embezzlement, but is guilty of simple larceny, or of larceny as a clerk, servant or person employed for the purpose, or in the capacity of a clerk or servant, as the case may be; and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for such larceny; and if, upon the trial of any person indicted for larceny, it shall be proved that he took the property in question in any such manner as to amount in law to embezzlement, he shall not, by reason thereof, be entitled to be acquitted, but the jury shall be at liberty to return as their verdict that such person is not guilty of larceny but is guilty of embezzlement, and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for such embezzlement; and no person so tried for embezzlement or larceny, shall be liable to be afterwards prosecuted for larceny or embezzlement upon the same facts.

Persons on trial for embezzlement not to be acquitted if guilty of larceny

14. If upon the trial of two or more persons indicted for jointly receiving any property, it shall be proved that one or more of such persons separately received any part of such property, it shall be lawful for the jury to convict upon such indictment such of the persons as shall be proved to have received any part of such property.

Indictment for receiving stolen goods.

And whereas it frequently happens that the principal in a felony is not in custody or amenable to justice although several accessories to such felony or receivers at different times, of stolen property, the subject of such felony may be in custody or amenable to justice—for the prevention of several trials, be it enacted:

Preamble.

15. That any number of accessories or receivers may be charged with substantive felonies in the same indictment, notwithstanding the principal felon shall not be included in such indictment, or shall not be in custody or amenable to justice.

Indictment against accessories.

16. It shall be lawful to insert several counts in the same indictment against the same person for any number of distinct acts of stealing not exceeding three, which may have been committed by him against the same person within the space of six months from the first to the last of such acts, and to proceed thereon for all or any of them.

Several counts of distinct acts of stealing in an indictment.

Proceedings on trial where property stolen at different times.

17. If upon the trial of any indictment for larceny, it shall appear that the property alleged in such indictment, to have been stolen at one time, was taken at different times, the prosecutor shall not, by reason thereof, be required to elect upon which taking he will proceed, unless it shall appear that there were more than three takings, or that more than six months elapsed between the first and the last of such takings; and in either of such last mentioned cases, the prosecutor shall be required to elect to proceed for such number of takings, not exceeding three, as appear to have taken place within the period of six months from the first to the last of such takings.

Description of money, bank notes, &c. in indictments.

18. In every indictment, in which it shall be necessary to make any averment as to any money, or any treasury or bank note, it shall be sufficient to describe such money or note simply as money, without specifying any particular coin or note; and such allegation, so far as regards the description of the property shall be sustained by proof of any amount of coin or of any treasury or bank note, although the particular species of coin of which such amount was composed, or the particular nature of the note shall not be proved; and in cases of embezzlement, and obtaining money or treasury or bank notes by false pretences by proof that the offender embezzled or obtained any piece of coin or any note, or any portion of the value thereof, although such piece of coin or note may have been delivered to him in order that some part of the value thereof should be returned to the party delivering the same, or to any other person, and such part shall have been returned accordingly.

Preamble.

And whereas it is expedient to render prosecutions for perjury and subornation of perjury more easy and efficient :

Judges may direct prosecutions against persons appearing to be guilty of perjury in evidence, &c. given before them.

19. Be it enacted, That it shall and may be lawful for the judge or judges of any of the superior courts of common law or equity, in case it shall appear to him or them that any person has been guilty of wilful and corrupt perjury in any evidence given, or in any affidavit, deposition, examination, answer or other proceeding made or taken before him or them, to direct such person to be prosecuted for such perjury, in case there shall appear to him or them a reasonable cause for such prosecution, and to commit such person, so directed to be prosecuted, until the next term of the supreme court for the county within which such perjury was committed, unless such person shall enter into a recognizance with one or more surety or sureties conditioned for the appearance of such person, at such next term of the supreme court, and that he will then surrender and take his trial, and not depart the court without leave, and to require any person he or they may think fit to enter into a recognizance conditioned to prosecute or give evidence against such person so directed to be prosecuted.

In indictments for perjury the substance of the offence may be set forth.

20. In every indictment for perjury, or for unlawfully, wilfully, falsely, fraudulently, deceitfully, maliciously or corruptly, taking, making, signing or subscribing any oath, affirmation, declaration,

affidavit, deposition, bill, answer, notice, certificate or other writing, it shall be sufficient to set forth the substance of the offence charged upon the defendant, and by what court, or before whom the oath, affirmation, declaration, affidavit, deposition, bill, answer, notice, certificate or other writing, was taken, made, signed or subscribed, without setting forth the bill, answer, information, indictment, declaration or any part of any proceeding either in law or in equity, and without setting forth the commission or authority of the court or person before whom such offence was committed.

21. In every indictment for subornation of perjury, or for corrupt bargaining or contracting, with any person to commit wilful and corrupt perjury, or for inciting, causing or procuring any person unlawfully, wilfully, falsely, fraudulently, deceitfully, maliciously or corruptly, to take, make, sign or subscribe any oath, affirmation, declaration, affidavit, deposition, bill, answer, notice, certificate or other writing, it shall be sufficient, whenever such perjury or other offence, shall have been actually committed, to allege the offence of the person who actually committed such perjury, in the manner hereinbefore mentioned, and then to allege that the defendant unlawfully, wilfully and corruptly did cause and procure the said person, the said offence, in manner and form aforesaid to do and commit; and wherever such perjury or other offence shall not have been actually committed, it shall be sufficient to set forth the substance of the offence charged upon the defendant, without setting forth or averring any of the matters or things hereinbefore rendered unnecessary to be set forth or averred in the case of wilful and corrupt perjury.

Indictments for subornation of perjury.

22. A certificate containing the substance and effect only, omitting the formal part of the indictment and trial for any felony or misdemeanor purporting to be signed by the clerk of the court or other officer having the custody of the records of the court where such indictment was tried, or by the deputy of such clerk or other officer, for which certificate no fee shall be demanded or paid, shall upon the trial of any indictment for perjury or subornation of perjury be sufficient evidence of the trial of such indictment for felony or misdemeanor, without proof of the signature or official character of the person appearing to have signed the same.

Certificate of clerk of crown sufficient for indictment for perjury.

23. It shall not be necessary to state any venue in the body of any indictment, but the county named in the margin thereof shall be taken to be the venue for all the facts stated in the body of such indictment, provided that in cases where local description is or hereafter shall be required, such local description shall be given in the body of the indictment.

No venue to be stated.

24. No indictment for any offence shall be held insufficient for want of the averment of any matter unnecessary to be proved, nor for the omission of the words "as appears by the record," or of the words "with force and arms," or of the words "against the peace," nor for the insertion of the words "against the form of the statute," instead of "against the form of the statutes," or vice

When indictment not to be held insufficient

versa, nor for that any person mentioned in the indictment is designated by a name of office or other descriptive appellation instead of his proper name—nor for omitting to state the time at which the offence was committed in any case where time is not of the essence of the offence, nor for stating the time imperfectly—nor for stating the offence to have been committed on a day subsequent to the finding of the indictment—nor on an impossible day or on a day that never happened—nor for want of a proper or perfect venue—nor for want of a proper or formal conclusion—nor for want of or imperfection in the addition of any defendant—nor for want of the statement of the value or price of any matter or thing—or the amount of damage, injury, or spoil, in any case where the value or price or the amount of damage, injury or spoil is not of the essence of the offence.

Objections to indictment when to be taken.

25. Every objection to any indictment for any formal defect apparent on the face thereof, shall be taken by demurrer or motion to quash such indictment, before the jury shall be sworn, and not afterwards; and every court before which any such objections shall be taken, for any formal defect, may, if it be thought necessary, cause the indictment to be forthwith amended in such particular, by some officer of the court or other person, and thereupon the trial shall proceed as if no such defect had appeared.

No person prosecuted shall postpone the trial if indictment against him.

26. No person prosecuted shall be entitled to traverse or postpone the trial of any indictment found against him: provided, that if the court, upon the application of the person so indicted, or otherwise, shall be of opinion that he ought to be allowed a further time, either to prepare for his defence or otherwise, such court may adjourn the trial of such person to the next subsequent session, upon such terms, as to bail or otherwise, as to such court shall seem meet, and may respite the recognizances of the prosecutor and witnesses accordingly, in which case the prosecutor and witnesses shall be bound to attend, to prosecute and give evidence at such subsequent session, without entering into any fresh recognizance for that purpose.

Pleas of autre-fois convict.

27. In any plea of autre-fois convict, or autre-fois acquit, it shall be sufficient for any defendant to state that he has been lawfully convicted or acquitted, as the case may be, of the offence charged in the indictment.

Definition of the word "indictment."

28. In the construction of this act, the word "indictment" shall be understood to include information, inquisition, and presentment, as well as indictment, and also any plea, replication, or other pleading, and any record; and the terms "finding of the indictment," shall be understood to include the taking of an inquisition, the exhibiting of an information, and the making a presentment; and the word "property" shall be understood to include goods, chattels, money, valuable securities, and every other matter or thing, whether real or personal, upon or with respect to which any offence may be committed.

## CHAPTER 2.

### An Act to continue and amend the Revenue Laws.

(Passed the 31st day of March, A. D., 1852.)

## SECTION

1. Revised statutes chap. 21, "Of light house duties," and chap. 22, "Of licenses for the sale of intoxicating liquors," continued.

## SECTION

2. Revised statutes, chap. 12, "Of custom duties," amended.
3. Canada flour imported through United States or British provinces.

Be it enacted, by the governor, council, and assembly, as follows:—

1. The following chapters of the revised statutes are continued until the first day of April, in the year one thousand eight hundred and fifty three, namely: chapter twenty-one, "Of light house duties," and chapter twenty-two, "Of licenses for the sale of intoxicating liquors."

2. Chapter twelve, "Of customs' duties," is amended, by adding to the eleventh clause thereof the following words:

"Provided, that if at any time hereafter, her majesty, by order in council, shall declare that by virtue of any treaty with her majesty any other foreign nation is entitled to trade with Nova Scotia, on the same terms as the United States, it shall be lawful for the governor in council, and he is required forthwith, on the receipt of such order in council, to issue a proclamation, declaring that from the date thereof, or from such other day as shall be fixed by her majesty in council, the duties on all such articles as are by this chapter allowed to be imported free of duty, being the growth and production of the United States, shall cease, on the like articles being the growth and production of such foreign nation; and thereupon the duties on such last mentioned articles shall cease to be payable, so long as such foreign nation shall allow the free importation of the like articles, being the growth and production of Nova Scotia," and the chapter so amended, is hereby continued until the first day of April, in the year one thousand eight hundred and fifty-three.

3. Wheat flour, the production of Canada, imported into this Province, shall be admitted through a warehouse in the United States, or a port in the British Provinces, being duly certified as to its origin, on the same terms as if imported direct.

Revised stat. chap. 21, "Of light house duties," and chap. 22, "Of licenses for sale of intoxicating liquors," continued.

Revised stat. chap. 12, "Of custom duties," amended.

Canada flour imported through United States or British provinces.



**CHAPTER 3.****An Act to continue the Militia Law.**

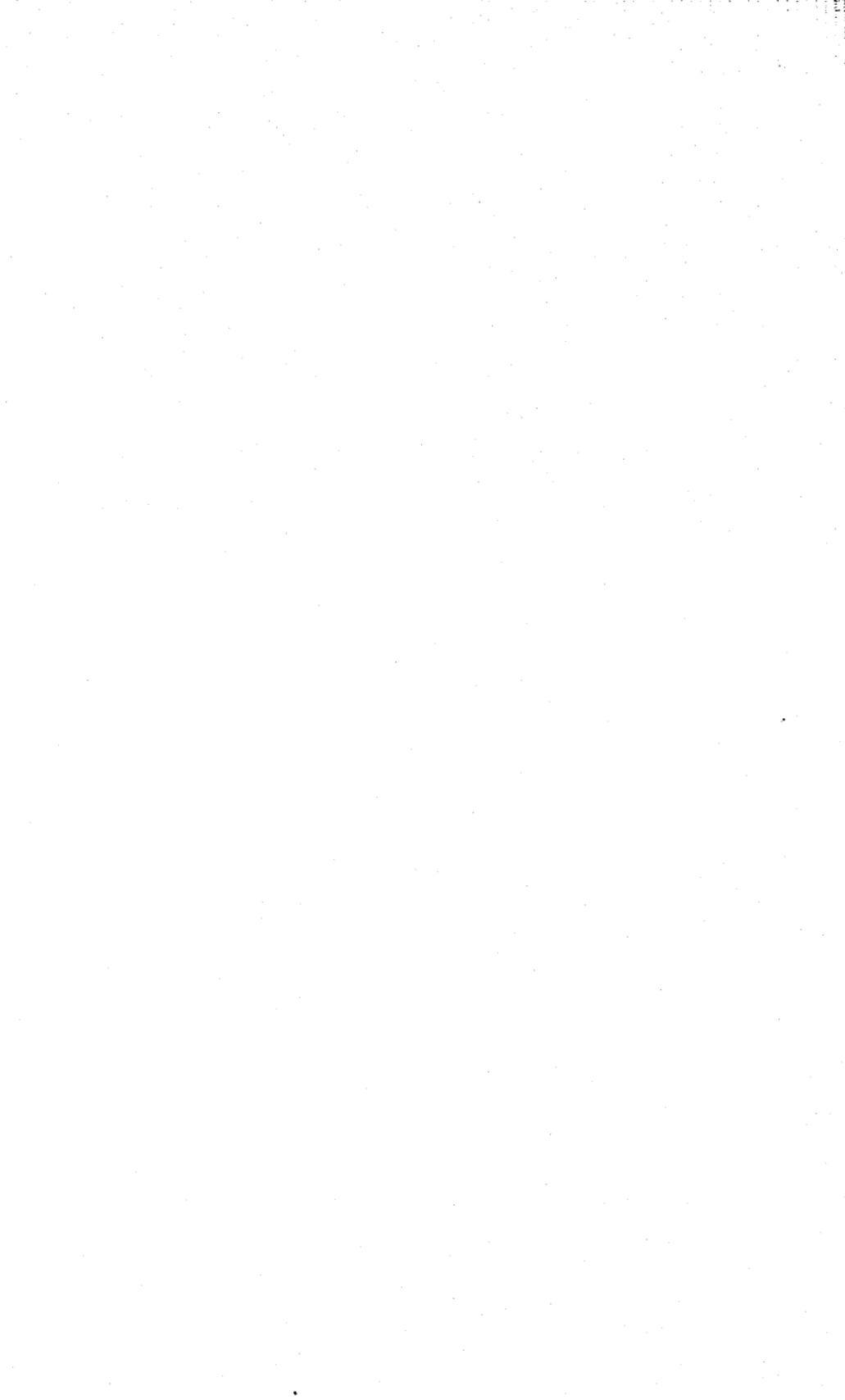
(Passed the 31st day of March, A. D., 1852.)

Revised statutes, chap. 29, "Of the militia," continued.

Be it enacted, by the governor, council, and assembly, as follows:—

1. Chapter twenty-nine of the revised statutes "Of the Militia," is continued in force until the first day of April, in the year one thousand eight hundred and fifty-three.

Revised stat.  
chap. 29, "Of  
the militia"  
continued.



## CHAPTER 4.

### An Act to amend chapter Thirty-four of the Revised Statutes.

(Passed the 31st day of March, A. D., 1852.)

## SECTION

1. Salaries made chargeable on general revenues.
2. Travelling expenses of judges.

## SECTION

3. Conveyance for judges on Cape Breton circuit.
4. Pension to Sir R. D. George.
5. 46, Geo. 3, chap. 13, repealed.

Be it enacted by the governor, council, and assembly, as follows:—

1. The following sums in sterling money being in whole or in part of the salaries granted to the different officers, by the first section of chapter thirty-four of the revised statutes, are made chargeable upon the general revenues of this province, viz :

Salaries made chargeable on general revenues.

Governor two thousand pounds.

Master of the rolls four hundred and eighty pounds.

The honorable Thomas C. Haliburton, one of the assistant justices, five hundred and sixty pounds.

The remaining assistant justices, four hundred and eighty pounds, leaving the remainder of such salaries determinable upon the contingency mentioned in the third section.

2. The chief justice and assistant justices on circuit, shall be severally allowed one pound three shillings and four pence currency a day for their travelling expences, to commence on the day of leaving their respective homes or places of abode, and to end four days after the adjournment of the court at the termination of the circuit.

Travelling expences of judges

3. It shall and may be lawful for the governor, upon the application of the judge going the Cape-Breton circuit, to procure such necessary and comfortable conveyance for the purpose, as he shall think fit and proper.

Conveyance for judges on Cape Breton circuit.

4. There shall be allowed to sir Rupert Dennis George annually during his natural life, as his retiring allowance as registrar of deeds, one hundred and sixty pounds sterling, to be paid quarterly from the provincial treasury.

Pension to Sir R. D. George.

5. The act forty-sixth, George the third, chapter thirteen, is repealed.

46, Geo 3, chap 13, repealed.



## CHAPTER 5.

An Act to amend chapter thirty-eight of the Revised Statutes entitled, "Of Treasury Notes, the Funded Debt, and the Savings Bank."

(Passed the 8th day of April, A. D., 1852)

## SECTION

1. 11th section chap. 38 of revised statutes, repealed.
2. Deposits in bank.

## SECTION

3. Monies deposited to be applied in paying off funded debt.

Be it enacted by the governor, council, and assembly, as follows:—

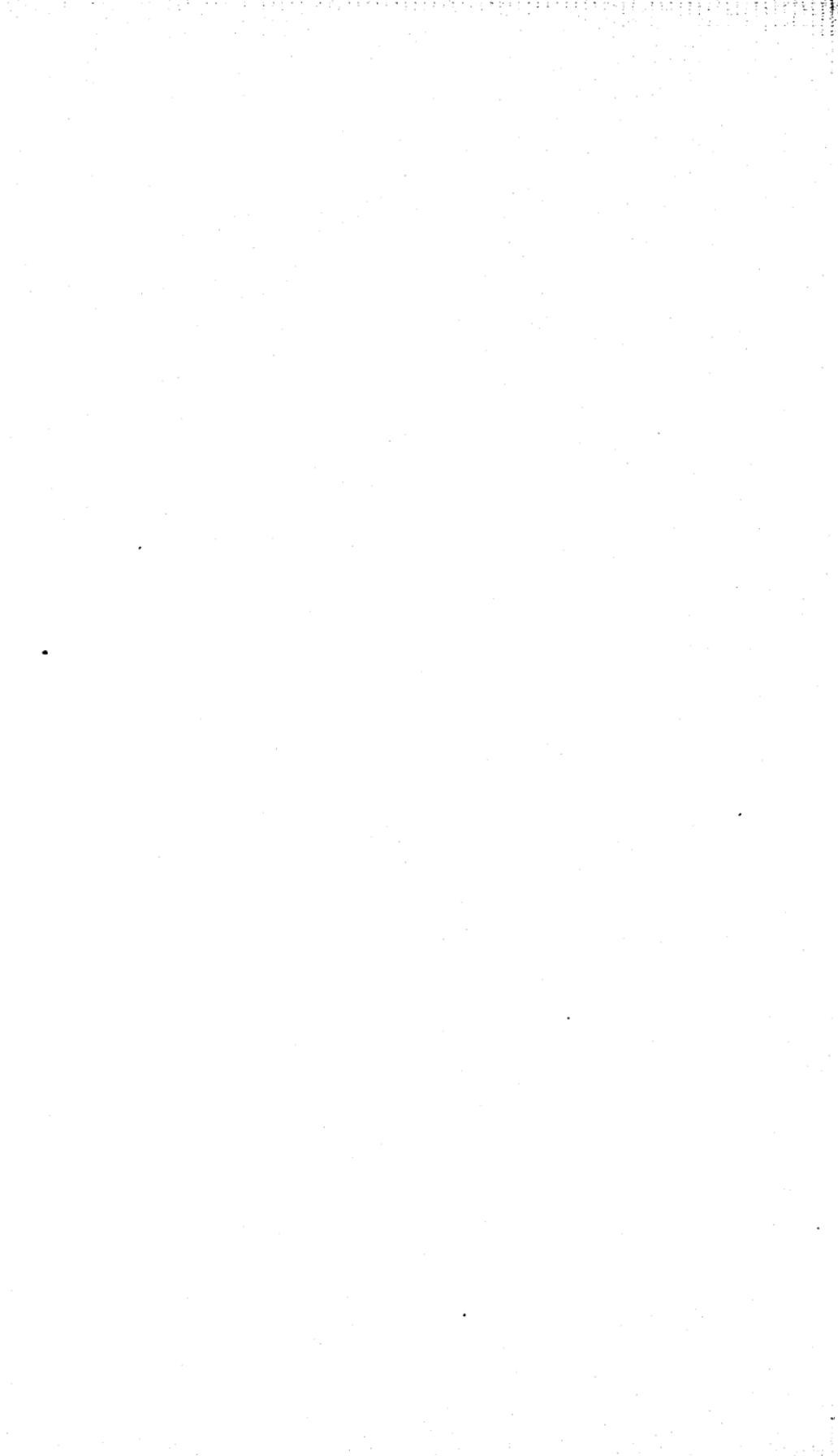
1. The eleventh section of chapter thirty-eight of the revised statutes is repealed, and the following section substituted:

2. Depositors in the bank shall be paid four per cent. interest; and no person shall be allowed to be a depositor of more than two hundred pounds—and not more than fifty pounds shall be received from any depositor in any one year.—The whole amount of deposits shall not exceed fifty thousand pounds.

3. Monies deposited under this act shall be applied by the governor in council, from time to time, in paying off the funded debt of the province.

11th section of chap. 38 rev. stat., repealed.  
Deposits in bank.

Monies deposited to be applied in paying off funded debt.



## CHAPTER 6.

An Act to continue certain Acts of the General Assembly.

(Passed the 8th day of April, A. D. 1852.)

Revised statutes, chapter 60, "Of public instruction," and act 13, Vic. chap. 36, continued.

Be it enacted, by the governor, council, and assembly, as follows:—

1. Chapter sixty of the revised statutes, "Of public instruction;" also, the act thirteenth Victoria, chapter thirty-six, entitled, "An act relating to the Pictou academy," are hereby respectively continued until the first day of May, in the year one thousand eight hundred and fifty-three.

Revised stat. chap. 60, "Of public instruction," and act 13, Vic. chap. 36, continued.



## CHAPTER 7.

### An Act to amend certain Chapters of the Revised Statutes.

(Passed the 5th day of April, A. D. 1852.)

## SECTION

1. Revised statutes, chap. 1, "Of the promulgation and construction of the statutes," amended.
2. Revised statutes, chap. 73, "Of commissioners of sewers of diked and marsh lands," amended.
3. Revised statutes, chap. 75, section 5, "Of common fields," amended.
4. Revised statutes, chap. 8, "Of general provisions respecting corporations," amended.
5. Revised statutes, chap. 136, "Of the supreme court and its officers," amended.
6. Revised statutes, chap. 131, "Of the jurisdiction of justices of the peace in civil cases," 1st form oath in, abolished.
7. Revised statutes, chap. 138, section

## SECTION

- 5, "Of the commencement of actions, and the form and service of writs," is amended.
8. Revised statutes, chap. 134, "Of pleadings and practice," amended.
9. Revised statutes, chap. 137, section 12, "Of the relief of insolvent debtors," amended.
10. Revised statutes, chap. 134, "Of costs and fees," amended.
11. Revised statutes, chap. 157, "Of offences against religion," section 5, repealed.
12. Revised statutes, chap. 159, "Of offences against the law of marriage," section 4, repealed.
13. Criminals may be sentenced during sittings at Halifax.

Be it enacted, by the governor, council, and assembly, as follows:—

1. Chapter one of the revised statutes, "Of the promulgation and construction of statutes," is amended thus:

The words "lieutenant governor," as well as the word "governor," shall include the governor, lieutenant governor, or commander in chief, or person administering the government of the province for the time being.

2. Chapter seventy-three of the revised statutes, "Of commissioners of sewers, and the regulating of diked and marsh lands," is amended thus:

The commissioners for the new or Wickwire dike, in Horton, may assess the owners or occupiers of land in such dike, although the rate shall exceed seven shillings and sixpence an acre; provided the rate shall not exceed twenty shillings an acre on the whole quantity of rateable land, without calling a meeting of the owners or occupiers, as provided in section eight of such chapter, or taking the other proceedings prescribed by the chapter where the rate exceeds seven shillings and six-pence.

3. The fifth section of chapter seventy-five "Of common fields," is altered thus:

The notice required by such section, shall be three days instead of thirty days, as therein provided.

4. The eighteenth, nineteenth, and twentieth sections of chapter

Revised stat. chap. 1, "Of the promulgation and construction of statutes," amended.

Revised stat. chap. 73, "Of commissioners of sewers, of diked and marsh lands," amended.

Revised stat. chap 75, section 5, "Of common fields," amended.

Revised stat. chap. 8. "Of general provisions respecting corporations," amend. d.

cighty seven "Of general provisions respecting corporations" are repealed, and the following is substituted in lieu thereof:

On or before the last day of February in every year, a return shall be made into the provincial secretary's office by the president, agent or manager, of every company, corporate body, or agency, doing business as insurers in this province, of the business of insurance upon lives, against fire, and upon all marine risks done by them respectively, between the first day of January and the thirty-first day of December preceding such return, both days being included, which return shall comprehend the number of policies entered into, the number of policies renewed, the amount insured, and the premiums paid, and in case of insurance against fire, the nature of the property insured, whether real or personal, and its situation, whether in the city of Halifax or in other parts of the province; in case of marine risks, the ports to which the vessels insured belong, where it can be known, and shall also state the capital and other security for the payment of losses, and where the same is situated; and in case of companies and corporate bodies out of Nova-Scotia, whether there is any security or capital within the province, for the payment of losses, and the nature, permanency, and amount thereof, which returns shall be certified to be true, by the president, agent or manager of every such company, corporate body or agency respectively; and every such president, agent, or manager, neglecting to make such return or knowingly making a false or defective return, shall forfeit fifty pounds.

5. The second section of chapter one hundred and twenty-six "Of the supreme court and its officers" is amended thus:

The Trinity term, at Halifax, shall commence on the second Tuesday of July, instead of the fourth Tuesday of July; and the Michaelmas term, on the third Tuesday of November, instead of the fourth Tuesday of November.

The sixth section of the same chapter, is amended thus:

The sittings for trial of causes, after Trinity term, shall commence on the fourth Tuesday of July, and those after Michaelmas term, on the second Tuesday after the third Tuesday of November, instead of the times in such section prescribed.

The following addition is made to the same chapter, namely:

Writs issuing out of the supreme court at Baddeck, before the next June term of the Court at that place, may be legally tested at Baddeck, on the thirtieth day of September, in the year one thousand eight hundred and fifty one.

The first form of oath prescribed to be administered to witnesses under chapter one hundred and thirty-one, "Of the jurisdiction of justices of the peace, in civil cases," is abolished.

7. The fifth section of chapter one hundred and fifty three, "Of the commencement of actions, and the form and service of writs," is repealed, and the following substituted:

The party applying for a *capias* shall make and subscribe the usual affidavit for holding a party to bail, which affidavit shall be

Revised stat. chap. 126. "Of the supreme court and its officers," amended.

Oath under chap. 131, revised statutes, abolished.

Revised stat. chap. 133, sec. 5. "Of the commencement of actions, and the form and service of writs," amended.

+ Shoned to 133.  
# Trin Feb. Sup. by WMA 217.

made, if in the province, before a judge or commissioner, or in their absence, or on the illness of the deponent, before a justice of the peace; or if made out of the province, before a judge of a superior court of the place where such affidavit was made—the sum set out in the affidavit shall be endorsed on the writ in words at length, and shall be signed by the justice taking it, or by any judge or commissioner, which endorsement shall also state before whom the affidavit was made.

8. Chapter one hundred and thirty-four "Of pleadings and practice," is amended thus:

The ninety-fourth rule is repealed, and the following provisions substituted:—

The prothonotary at Halifax shall keep a book, wherein may be entered any judgment given, which appertains to the supreme court of any other county, which shall be signed in the usual manner; and the prothonotary shall forthwith transmit to the prothonotary of the court in which such judgment is required to be entered, a correct transcript of the docket of the judgment, and the prothonotary to whom the same may be transmitted, shall copy such transcript into the county judgment book, and file the transcript with the papers in the cause; and the entry so made from the transcript, shall have the like effect as if the same had been signed by a judge in the judgment book into which it shall be so copied; and the postage on the transmitting of any such papers shall be taxed as costs in the cause.

Judgments entered in the book of country judgments, since the revised statutes came into operation, and the transcripts thereof entered in the county judgment books, and all other proceedings had under such judgments, shall have the same effect as if this act had been in force when such judgments had been entered, and as if the same had been entered, and such other proceedings been had hereunder.

9. The twelfth section of chapter one hundred and thirty-seven "Of the relief of insolvent debtors," is amended thus:

The special sessions as a court of appeal, shall consist of any three justices not concerned in the making of the order, not only in cases where the custos shall have been concerned, but also in cases where he shall be absent from the county or incapacitated by illness from attending.

10. Chapter one hundred and fifty-four, "Of costs and fees," is amended thus:

The fee to be paid by a sheriff for his commission shall not be paid by the same sheriff when continued from year to year.

The prothonotary shall be entitled to a fee of two shillings and six-pence for every certificate of judgment, and to a fee of one shilling for every certificate of discharge of a judgment.

The fees of registrars of deeds, for entering and registering every deed or conveyance, and for every office copy from the books of registry delivered out, shall be six-pence for every hundred words, instead of six-pence per folio.

Revised stat.  
chap. 134. "Of  
pleadings and  
practice."  
amended.

Revised stat.  
chap 137. sect.  
12. "Of the re-  
lief of insolvent  
debtors."  
amended.

Revised stat.  
chap. 154. "Of  
costs and fees."  
amended.

*Amended*

57

Chap. 157, sec.  
3, revised stat.  
repealed.

11. The third section of chapter one hundred and fifty-seven, "Of offences against religion," is repealed.

Chap. 159, sec.  
4, revised stat.  
repealed.

12. The fourth section of chapter one hundred and fifty-nine, "Of offences against the law of marriage," is repealed.

Criminals may  
be sentenced  
during sittings  
at Halifax.

13. A judge of the supreme court may sentence convicted criminals, on any day of the sittings at Halifax, as well as in term time.

## CHAPTER 8.

An Act for raising, by way of loan, a sum not exceeding Eight Hundred Thousand Pounds Sterling, for the construction of a Trunk Railway, from Halifax to Quebec.

(Passed the 8th day of April, A. D. 1852.)

## SECTION

1. Sum not exceeding £800,000 sterling, may be raised for constructing a railway from harbor of Halifax to Quebec.
2. Loan to be charged on general revenues of the province.
3. Creation of sinking fund.
4. Money how to be received and paid.
5. Accounts, &c., to be laid before the

## SECTION

- legislature.
6. Monies to be accounted for to the lords of the treasury.
7. Tariff of 1851 to form basis of revised laws, so that the provincial revenue shall not decrease.
8. Act passed during short session 1851, repealed.

WHEREAS her majesty's government is disposed, on certain conditions, to recommend to parliament, that the credit of the United Kingdom may be made available to enable the provinces of Canada, New Brunswick and Nova-Scotia, to raise upon advantageous terms the funds necessary for the construction of a line of railway from the harbor of Halifax in Nova-Scotia, through British territory, to Quebec in the province of Canada: And whereas the general assembly of this province hath, during the present session, passed an act for the construction of a certain proportion of said railway, provided the necessary funds shall be raised under the authority and guarantee of the parliament of the United Kingdom, or advanced as a loan to this province, under such authority: Preamble.

Be it enacted, by the governor, council and assembly, as follows:

1. The sum necessary for defraying the expenses of making such part of the railway from the harbor of Halifax to some point opposite the city of Quebec, as may be to be made under the provisions of the act passed in the present session, and entitled, "An act to make provision for the construction of a trunk railway from Halifax to Quebec," and the arrangements under the same, or any other expenses which, under any such arrangement, are to be borne by this province, may be raised and borrowed under the provisions of any act which shall be passed by the parliament of the United Kingdom authorising the advance of such sums to this province from the treasury of the United Kingdom, or guaranteeing the re-payment of the sums so borrowed, the due payment of dividends and interest thereon, or providing in any other way for the employment of the credit of the United Kingdom, so as to ensure the raising of such sums on advantageous terms; and the sums so raised shall be applied to the purposes for which they are hereby authorised to be raised, and no other; but the sums to be raised

Sum not exceeding 800,000 sterling, may be raised for constructing a railway from harbor of Halifax to Quebec.

under the authority of this act shall not in the whole exceed the sum of eight hundred thousand pounds sterling.

Loan to be charged on general revenues of the province.

2. Such sums may be raised and borrowed under and subject to the provisions of any such act of the parliament of the United Kingdom, by any person appointed in that behalf by her majesty, or by the governor of this province, by loan debentures or otherwise; and the principal sums so raised, and the dividends and interest thereon, are hereby charged on the general revenues of this province, of which the profits coming to this province from any part of the railway made with the funds raised under this act, shall form part, and shall be the first charge thereon after any previously existing debts of the province, and the sums payable under any act then in force granting a civil list to her majesty.

Creation of sinking fund.

3. For creating a sinking fund for payment of the loan to this province, if required by the imperial government, the profits of the railway accruing to this province, after deducting interest, repairs, working and incidental expenses, to be allowed as such by her majesty's government, and also the proceeds arising from the sale and leasing of the lands appropriated by the first section of the act passed at this present session, entitled, "an act to make provision for the construction of a trunk railway from Halifax to Quebec," shall be set apart and shall form such sinking fund.

Money how to be received and paid.

4. The principal sums so to be raised and borrowed, shall be received from time to time as the same may be raised by the receiver general, who shall, upon the warrants of the governor, pay out of the same such sums as may, from time to time, be required for defraying the expenses made payable out of the same by this act, and the act of this session hereinbefore referred to; and who shall also, upon the warrants of the governor, pay the dividends and interest upon the sums so raised and borrowed as the same shall become due, together with the sums accruing to the sinking fund: and such fund shall be paid and managed in such manner for the redemption and liquidation of the principal sums as shall be agreed upon and negotiated when the principal sums shall be raised and borrowed; or if there be no such agreement in that behalf, then in such manner as the governor in council shall from time to time direct and appoint, subject however to the provisions of this act: and it is hereby declared, that the parliament of this province will confirm and carry out by such legislative enactments, if any, as may be necessary to give full effect to the same, any arrangement or agreement not inconsistent with the spirit of this act and of the act of this session hereinbefore referred to, which may be made or authorised by the governor in council, with regard to the raising and borrowing the sums aforesaid, under the provisions of any act to be passed by the parliament of the United Kingdom in that behalf, and for the purpose of complying with the requirements of such act.

Accounts, &c. to be laid before the legislature.

5. The receiver general shall, before each session of the provincial parliament, transmit to the governor for the purpose of being laid before the two houses of the legislature, a correct and

detailed statement and account of the sums raised under the authority of this act, and of the debentures and other securities which shall have been issued, and of the dividends and interest paid thereon, and of the sinking fund, and of the redemption of the whole or any part of the principal sum, by means of the sinking fund or otherwise, and of the expenses attending the negotiation, management, payment and redemption of the loan.

6. The due application of the monies to be raised under the authority of this act, and of all sums to be expended under such authority, shall be accounted for to her majesty, through the lord's commissioners of her majesty's treasury for the time being, in such manner and form as her majesty shall direct, and an account of all sums expended under the authority of this act, shall be laid before both houses of the provincial parliament within fifteen days after the opening of the session thereof next after such expenditure.

Monies to be accounted for to the lords of the treasury.

And whereas for the maintenance of the credit and good faith of this province, it is indispensable that the annual revenues from all sources should never fall short of the amount collected in the last year, while any portion of the loan contemplated by this act remains due and unpaid:

Preamble.

7. Until the monies advanced or guaranteed by the imperial government shall have been repaid, or until the roads built with the same shall yield a nett income of three and one half per cent., the tariff of the year one thousand eight hundred and fifty-one shall form the basis of the revenue laws of this province, and shall not be varied or changed so as to diminish the amount of security which it is the intention and meaning of this act should be pledged to her majesty's government; but nothing herein contained shall be construed to prevent the legislature from annually revising such tariff, or from making regulations in respect to trade and the protection of the revenue, due care being taken that any alterations to be made shall not diminish the nett income of the province below the amount collected in the year one thousand eight hundred and fifty-one, and that changes which may so operate shall, before becoming law, be reported to and approved of by her majesty's government.

Tariff of 1851 to form basis of revenue laws, so that the provincial revenue shall not decrease.

8. The act passed during the last session of the assembly, entitled, "An act for raising, by way of loan, a sum not exceeding one million of pounds sterling, for the construction of a trunk railway through British North America," is repealed.

Act passed short session 1851, repealed.



## CHAPTER 9.

An Act to make provision for the construction of a Trunk Railway from Halifax to Quebec.

(Passed the 5th day of April, A. D. 1852.)

## SECTION

1. Governor in council may make arrangements relative to the construction of railway.
2. Contributions by Canada, New Brunswick, and Nova Scotia.
3. The governor to pay the expense out of the funds to be raised.
4. Five commissioners may be appointed.
5. Their salaries.
6. Members of legislature not to hold office, &c.
7. The railway to be a provincial work.
8. Commissioners may take lands required, &c.
9. Commissioners may enter lands, &c.

## SECTION

10. Commissioners may make agreement for lands, &c, taken.
11. Appraisalment to be made where no agreement.
12. When proprietor is benefitted.
13. Rents payable for lands, &c., a county charge.
14. Investments may be made in the railway.
15. Investments to be paid to receiver general.
16. Arrangements relative to the management of the line.
17. Not more than £800,000 to be raised.
18. Act of last session repealed.

Whereas the formation of a great trunk line of railway from the harbor of Halifax to Quebec, through British territory, would consolidate and strengthen the provinces of British North America, develop their resources, settle their waste lands, multiply their social and commercial relations, and afford increased facilities for rapid intercommunication with the British Islands, and with all parts of this continent: And whereas, it is anticipated that her majesty's government will advance or guarantee the funds required to construct this work on certain conditions:

Be it enacted, by the governor, council and assembly, as follows:—

1. Whenever the funds necessary for the purpose shall be raised by loan, under the authority and guarantee of the parliament of the United Kingdom, or advanced as a loan to this province under such authority, or subscribed or loaned by individuals, as hereinafter provided, it shall be lawful for the governor in council to enter into such arrangements as may be deemed conducive to the interests of this province, with the government of the United Kingdom, and with the governments of Canada and New Brunswick, in reference to the construction of a railway from the harbor of Halifax, in Nova Scotia, to some point opposite the city of Quebec, either by constructing the same on the joint account of this province and the provinces of Canada and New Brunswick, or by engaging to construct, at the expense of this province, that part of the railway lying within Nova Scotia, or by making such other arrangements for the construction of one fourth

Preamble.  
Governor in council may make arrangements relative to the construction of railway

part of the said railway, as may be agreed upon with the government of the United Kingdom and such provincial governments: and for facilitating such arrangements, all the ungranted lands within this province, lying within five miles on each side of the line of the railway, are hereby placed at the disposal of the governor in council, to be appropriated, pledged, or otherwise dealt with, as may be thought best for the interests of this province; with regard to such arrangements, it being understood and hereby declared, that the legislature of this province will confirm and carry out, by such enactments as may be necessary to give full effect to the same, any arrangement and agreement which may be made by the governor in council, in the spirit and for the purposes of this act.

Contributions  
by Canada, N.  
Brunswick, and  
Nova Scotia.

2. The great trunk line of railway shall be constructed by this province, in conjunction with the provinces of Canada and New Brunswick, in the following proportions, that is to say:—

The province of New Brunswick to make provision for, and to contribute to, the construction of the whole line, five twelfths—Canada four twelfths, and this province three twelfths—each province bearing the hazard and sharing the profits of the whole enterprise in the like proportions; and this province, after the debt shall have been paid, to own three twelfths of the whole line.

The governor to  
pay the expense  
out of the funds  
to be raised.

3. It shall be lawful for the governor, out of the funds to be raised or advanced for the purpose, to pay such sums as may be required to defray the expenses of making that part of the railway which shall be made at the expense of this province, under any such arrangement, or any other expenses which, under such arrangements, are to be borne by this province.

Five commis-  
sioners may be  
appointed.

4. Whenever their services are required, it shall be lawful for the governor in council, to appoint not more than five commissioners, with full powers to construct such work, in conjunction with commissioners to be appointed in the other provinces, who shall be empowered, from time to time, to draw upon the receiver general for any amount not to exceed one fourth of the funds required for the same: provided that not more than one of such commissioners shall at any time hold a seat in the legislature.

Their salaries.

5. The executive government shall, in the first instance, fix the rate of salary for the respective commissioners appointed for this province, subject to the revision and confirmation of the legislature, at its first session thereafter.

Members of the  
legislature not to  
hold office, &c.

6. No member of the legislature shall hold, or be appointed to any office of emolument under the commissioners, or be a contractor, or party to any contract arising out of the construction, management, or working of the road, or any part thereof.

The railway to  
be a provincial  
work.

7. The main trunk line of railway, or such part thereof as may be made under the provisions of the preceding sections of this act, shall be a public provincial work, and the railway shall be made through this province, on such line and in such places as the governor in council shall determine and appoint as best adapted to promote the general interests.

8. The commissioners are authorised to enter upon, and take possession of any lands required for the track of the railway, or for stations, and they shall lay off the same by metes and bounds, and record a description and plan thereof in the registry of deeds for the county in which the lands are situate, and the same shall operate as a dedication to the public of such lands; but the lands so taken, shall not be less than four, nor more than eight rods in breadth for the track, nor more than five acres in extent for any station.

Commissioners may take lands required, &c.

9. The commissioners may enter, with workmen, carts, carriages and horses, upon any lands, and therefrom, for the making of such railroad, dig up and carry away stones and gravel, and cut down and carry away any trees, bushes, logs, poles and brush-wood.

Commissioners may enter lands, &c.

10. The commissioners may make an agreement in writing, with the proprietors of land so taken, for damages and fencing, where such fencing shall be considered requisite by the commissioners; and also for materials for the road taken from any lands, and the same shall be laid before the sessions, and if approved of, shall be confirmed.

Commissioners may make agreement for lands, &c. taken

11. Where no agreement shall be made, or the same shall not be confirmed, one appraiser shall be appointed by the sessions a second by the persons interested in the lands, and on their default, after three days notice, by the clerk of the peace, such two shall choose a third appraiser, and the appraisers shall be sworn to the faithful discharge of their duty, and they, or any two of them, shall make a valuation as to damages for lands and fencing, when requisite, or materials taken from any land, which valuation shall be final.

Appraisement to be made where no agreement.

12. In making such arrangement or appraisement, the benefit likely to be derived by the proprietor, from the railway running through his land, shall be taken into consideration, and the damages thereby reduced or extinguished.

When proprietor is benefitted

13. The monies payable for such lands and fencing, shall form a county charge, but in the apportionment of the assessment, the sessions shall have respect to the relative benefits derived from the railway by the several sections of the county, and shall apportion the assessment accordingly.

Rents payable for lands, &c., a county charge.

14. If any corporation or individual shall desire to invest monies in the railway fund, applicable to the construction of this work, at their own risk, sharing with the government the hazard and the profit of the enterprize, it shall be lawful for the receiver general to issue scrip in sums not less than twenty-five pounds, bearing no interest, but entitling the holder to a share proportioned to his investment in the tolls and revenues of the road.

Investments may be made in the railway.

15. Any person desiring to invest, on the credit of the province, monies in the railway fund, applicable to the construction of this work, may pay any amount to the receiver general, under the same guards and regulations as now secure the monies invested in the savings bank; provided that the rate of interest to be paid on

Investments to be paid to receiver general.

such instalments shall be the same as the province pays for the loans advanced by or on the guarantee of her majesty's government.

Arrangements relative to the management of the line.

16. Whenever the railway shall be completed from Halifax to Quebec, it shall be lawful for the governor in council to make, in conjunction with the governments of Canada and New Brunswick, such arrangements as may be suitable for working the railway as one line by a common management, or for working that portion of the line which shall have been constructed at the risk of this province—such arrangements to be submitted to both branches of the legislature at the session then next ensuing; and during the progress of the work the governor in council shall have the like power over the portion of the line within this province, and arrangements made in reference thereto shall be submitted in like manner.

Not more than £800,000 to be raised.

17. The total sum to be raised for the purposes of this act, upon the credit of the revenues of this province, shall never exceed in the whole, the sum of eight hundred thousand pounds sterling.

Act of last session, repealed.

18. An act passed during the last session of the general assembly, entitled, "An act to make provision for the construction of a trunk railway through British North America," is repealed.

## CHAPTER 10.

### An Act for regulating Distilleries.

(Passed the 8th day of April, A. D 1852.)

## SECTION

1. Licenses for distilling, how granted.
2. Annual charges for granting licenses.
3. Expiration of licenses.
4. Duties, how payable.
5. Balance of duties, when to be paid.
6. Notice to be given if license not to be renewed.
7. Board of revenue to warehouse all liquors belonging to distillers at the expiration of license.
8. Forfeiture for distilling without license.
9. All illicit distilleries to be taken pos-

## SECTION

- session of by board of revenue.
10. Returns under oath to be made monthly
11. Stills not to be enlarged during license.
12. Board of revenue may make regulations.
13. Revised statutes, chap. 20, "Of the regulation of distilleries," and sec. 4 of chap. 12, revised statutes, "Of customs duties," repealed.
14. Duration of act.

Be it enacted, by the governor, council and assembly, as follows :

1. Licenses for distilling intoxicating liquors may be granted by the governor in council, and shall be in the form in schedule A, and be signed by the receiver general or his principal clerk in the revenue department. License for distilling, how granted.
2. The annual charges for granting such licenses, shall be determined by the governor in council, according to the capacity of the distillery for manufacturing liquors, and such other circumstances as in their judgment ought to affect such annual charge upon each several distillery. Annual charges for granting licenses.
3. All licenses shall expire on the thirty-first day of March next, after the date thereof; and no license shall be granted for a less sum for a part of a year than for a whole year. Expiration of licenses.
4. Every person to whom a license shall be granted shall, before receiving the same, pay down one quarter of the duties, and enter into a bond with two sureties, in the form in schedule B. Duties, how payable.
5. Where a license shall be granted after the first day of July, the balance of the duties shall be payable in equal instalments on the quarter days thereafter, ending on the first day of the months of October, January, and April respectively, or such of them as may not have been passed; and the bond shall be altered so as to conform thereto. Balance of duties when to be paid.
6. Any person so licensed, who shall not intend to renew his license, shall give written notice thereof at the excise office in Halifax, at least one month previous to the expiration of his license, and in default thereof shall forfeit a sum equal to one-fourth of his license duty. Notice to be given if license not to be renewed.
7. The board of revenue may take possession of all liquors

belonging to distillers at the expiration of their license, whether the same shall be on their own premises or elsewhere, and shall store the same in a warehouse, and such liquors shall be chargeable with the like duties as if imported, and may be exported under the same regulations.

Forfeiture for distilling without license.

8. Any person who shall distil intoxicating liquors, or suffer it to be done on his premises without license, shall forfeit not less than fifty pounds, nor more than one hundred and fifty pounds.

All illicit distilleries to be taken possession of by board of revenue.

9. All places fitted for the distilling of liquors for which a license shall not have been granted, may be taken possession of by the board of revenue; and the board are empowered to cause search to be made of all premises suspected to be used for the purposes of distilling intoxicating liquors.

Returns under oath to be made monthly.

10. Every distiller shall make a monthly return, under oath, of all liquors manufactured by him, to the nearest collector of colonial revenue, under a penalty of not less than ten pounds nor more than fifty pounds.

Stills not to be enlarged during license.

11. No distiller shall increase the size or enlarge the number of his stills during his license, without the consent of the board of revenue, under penalty of forfeiture of his license, or of a sum not exceeding one hundred pounds, at the election of the board.

Board of revenue may make regulations.

12. The board of revenue are empowered to make all such regulations as they may deem necessary for carrying out the objects of this act, and the prevention of fraud; and may affix such penalties and forfeitures for breach of any such regulations as may be deemed proper.

Revised stats. chap. 20, "Of the regulation of distilleries," and sec. 4, of chap. 12, revised stat. "Of the custom duties," repealed. Duration of act.

13. Chapter twenty of the revised statutes "Of the regulation of distilleries," and also section four of chapter twelve "Of customs duties," and the duties by the table in such chapter imposed on spirituous liquors made within the province, shall cease to be in operation after the thirtieth day of the present month of April, and this act shall immediately thereafter come into operation.

14. This act shall remain in force until the first day of April, in the year one thousand eight hundred and fifty-three, and no longer.

## A

County of \_\_\_\_\_,

License is granted to A. B., of \_\_\_\_\_, in the county of \_\_\_\_\_, to distil intoxicating liquors, conformably to law, in his premises, situate [*here describe particularly the situation of the premises*] until the first day of April next.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 185

## B

Common form, two sureties, with condition as follows:—

Whereas, the above bounden A. B. has been licensed to distil intoxicating liquors until the first day of April, and has paid the

sum of \_\_\_\_\_ being one fourth part of the duties payable thereon, and the remaining three fourth parts of such duties, amounting to the sum of \_\_\_\_\_ are to be paid in three equal instalments, on the first day of the months of July, October and January next respectively.

Now the condition of this obligation is such, that if the said A. B. do pay to the receiver general or his principal clerk in the revenue department, such remaining three fourth parts of such duties, at the times so limited for payment thereof, and shall in all respects conform to the provisions of an act passed in the fifteenth year of her majesty's reign, entitled, "an act for regulating distilleries," then this obligation shall become void.

Signed, sealed, and delivered, }  
 in presence of }





## CHAPTER 11.

## An Act relating to the Public Buildings and Establishments.

(Passed the 8th day of April, A D. 1852.)

## SECTION

1. Governor may make regulations relative to provincial buildings and establishments.
2. Power of commissioners.

## SECTION

3. Acts of commissioners ratified.
4. Chap. 24, revised statutes, "Of the board of works," repealed.

Be it enacted by the governor, council, and assembly, as follows:

1. The governor in council may make such regulations for the superintendence and management of the provincial building, government house, provincial penitentiary, and all other buildings and property belonging to the province, with all the light houses, buoys, and beacons erected, or to be erected within this province, and of Sable Island, and the Seal and Mud Islands, as may seem judicious; provided that no greater expense is incurred for such superintendence and management than has been heretofore sanctioned or granted by the legislature; such regulations to be laid before the legislative council and assembly, within ten days of the opening of the next session, and to have the force of law until the first day of April next, unless sooner altered.

Governor may make regulations relative to provincial buildings and establishments.

2. The powers conferred upon the board of works by the revised statutes may be, by order of the governor in council, transferred in whole, or in part, to the commissioners, or other authorities appointed to superintend and manage such works respectively.

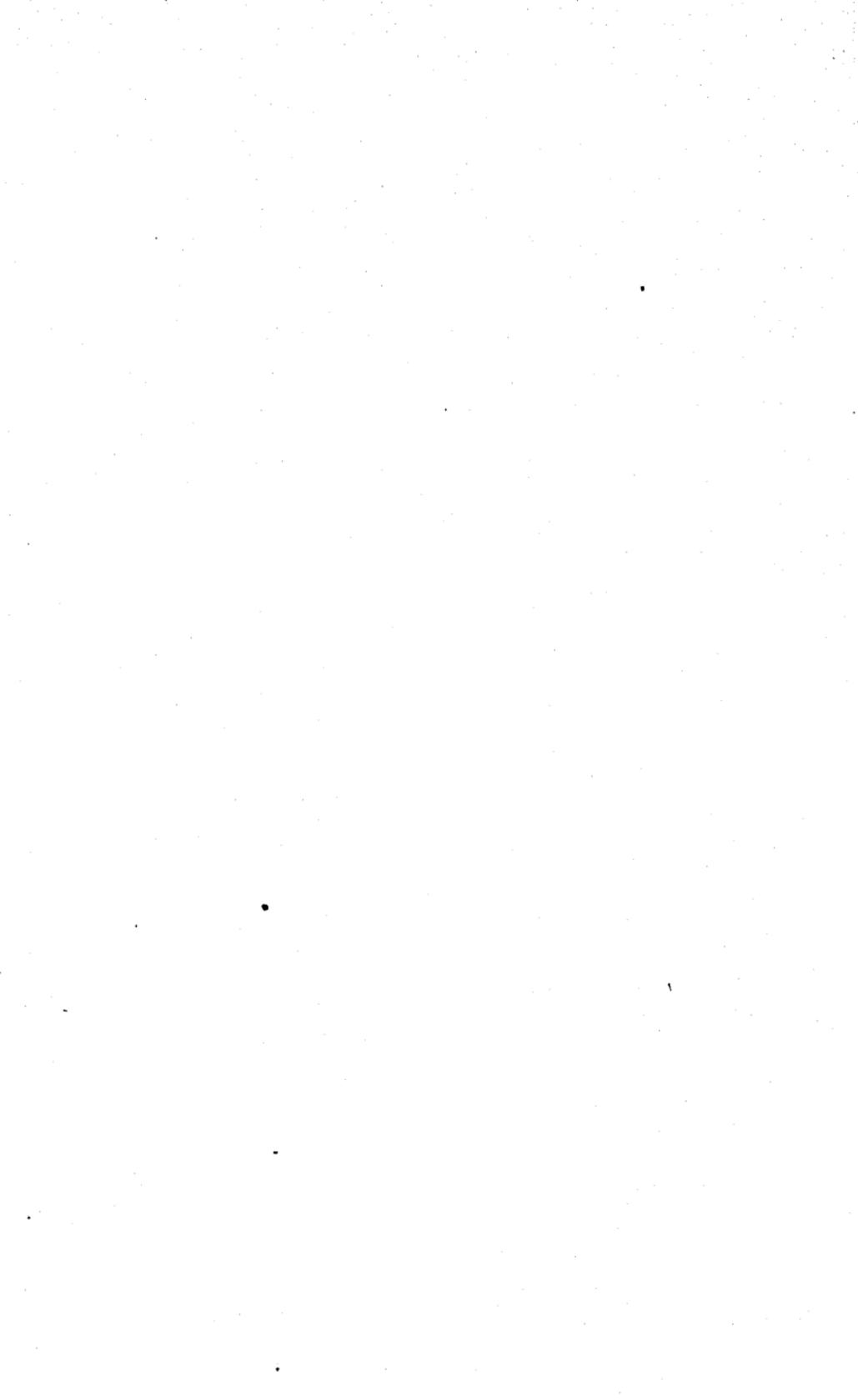
Power of commissioners.

3. The acts done by the commissioners, or other persons charged with the management of such establishment and property, between the first day of September, in the year one thousand eight hundred and fifty-one, and the making of such regulations, and all advances made by the government for the maintenance thereof, are hereby declared as lawful as they would have been, had chapter twenty-four of the revised statutes not been passed, and the acts by which such establishments respectively were previously governed, had continued in force.

Acts of commissioners ratified.

4. Chapter twenty-four of the revised statutes "Of the board of works," is hereby repealed.

Chap. 24, revised stat. "Of the board of works," repealed.



## CHAPTER 12.

## An Act to authorise a Provincial Loan.

(Passed the 8th day of April, A. D. 1851.)

## SECTION

1. Cash account may be opened with bank—amount to be borrowed not to exceed £10,000.
2. Money, how drawn.

## SECTION

3. Public funds pledged for re-payment.
4. Accounts to be laid before legislature.
5. Balance to be paid before 31st March.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

1. The governor may cause a cash account to be opened at one or more of the banks in the city of Halifax, and may borrow and receive from such banks such sum of money as may be necessary for the use of the province, in such amounts as may from time to time be required, and under such conditions and upon such terms, agreements, and stipulations for the payment and repayment of such monies, and for the working of such accounts as by the governor in council may be established, prescribed and directed with the consent of the directors of the bank, or otherwise to borrow and receive from any other persons, corporations or companies, a sum not exceeding ten thousand pounds, at the lowest interest at which such loan can be effected.

Cash account may be opened with bank—amount to be borrowed not to exceed £10,000

2. The money may be drawn for and received from time to time in such sums and under such restrictions and regulations as may be prescribed by the governor in council with the consent of the lenders thereof.

Money, how drawn.

3. For the repayment of all monies borrowed under this act, and for the final payment and discharge of the balance which shall be remaining due and unpaid on the final closing of the accounts with such lender with interest, the public funds, monies and credits of this province, are hereby pledged and rendered liable.

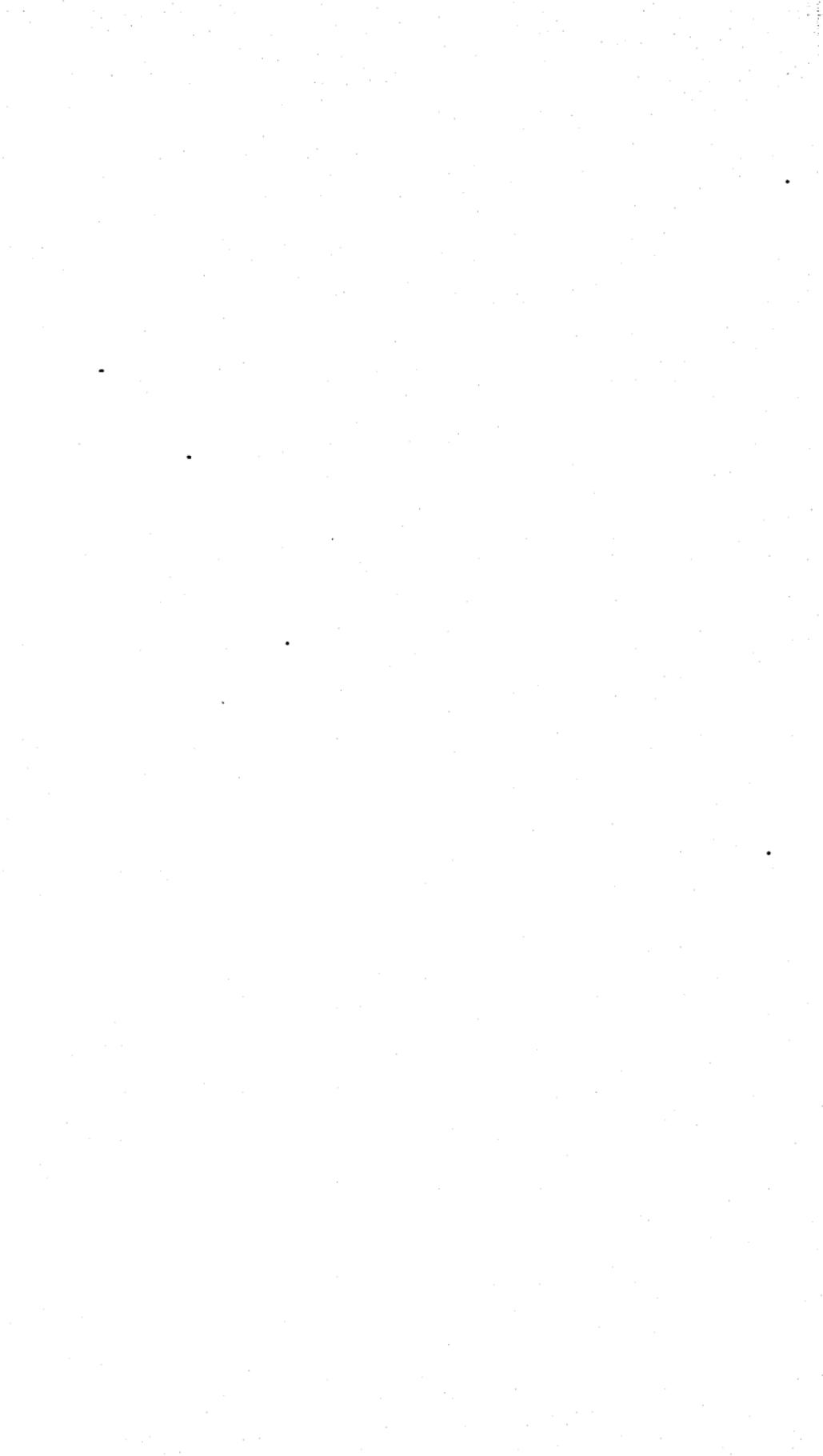
Public funds pledged for re-payment.

4. An account of all sums borrowed or repaid under this act, with the dates of the loans and repayments respectively, shall be laid before the joint committee of the legislature, appointed to examine the public accounts, together with the drafts and vouchers relating to the same at the next sessions.

Accounts to be laid before legislature.

5. The balance due for such loans on the thirty-first day of December in the year one thousand eight hundred and fifty-two, shall be paid off and discharged on or before the thirty-first day of March.

Balance to be paid before 31st March.



CHAPTER 13. *Amended by Act of 1853*

## An Act for founding a Lunatic Asylum.

(Passed the 8th day of April, A. D. 1852.)

## SECTION

1. Commissioners to be appointed.
2. Building to be erected.
3. Commissioners to have superintendence of asylum.
4. Asylum of deaf and dumb may be added.

## SECTION

5. £15,000 may be borrowed on certificate of commissioners.
6. Certificate, how redeemable.
7. £5,000 to be contributed.
8. Contributors may elect one commissioner.

Be it enacted by the governor, council and assembly as follows:—

1. The governor in council shall appoint three commissioners for the purposes of this act, one of whom may be nominated by the persons subscribing for the objects hereof, as hereinafter mentioned; and such commissioners shall be a body corporate, by the name of "The commissioners of the lunatic asylum."

Commissioners to be appointed.

2. The commissioners shall select a suitable site and take a conveyance thereof to themselves, by their corporate name, for the use of the province, and shall erect thereon a building fitted for the reception and proper keeping of lunatics and idiots, and all requisite out-buildings and offices in connection therewith.

Building to be erected.

3. The commissioners shall have the superintendence and control of the Asylum, and shall appoint all necessary officers and servants, and fix their rates of salaries or wages, and confer upon them such powers as may be requisite for the good order of the establishment, and shall make rules for their guidance and the due order of the institution.

Commissioners to have superintendence of asylum.

4. The commissioners may add to the asylum an institution for the reception, education and instruction of the deaf and dumb, with like powers for its regulation and management.

Asylum of deaf and dumb may be added.

5. The commissioners may borrow, on the credit of the province, a sum not exceeding fifteen thousand pounds, at a rate of interest not exceeding five per cent. and may issue certificates for the payment of the interest half-yearly, and of the principal at the expiration of twenty years—such certificates to be payable to the lenders, and to be transferable by indorsement.

£15,000 may be borrowed on certificate of commissioners.

6. The certificates shall be redeemable by order of the governor in council after three months publication thereof in the royal gazette, at any time after ten years from the issuing thereof.

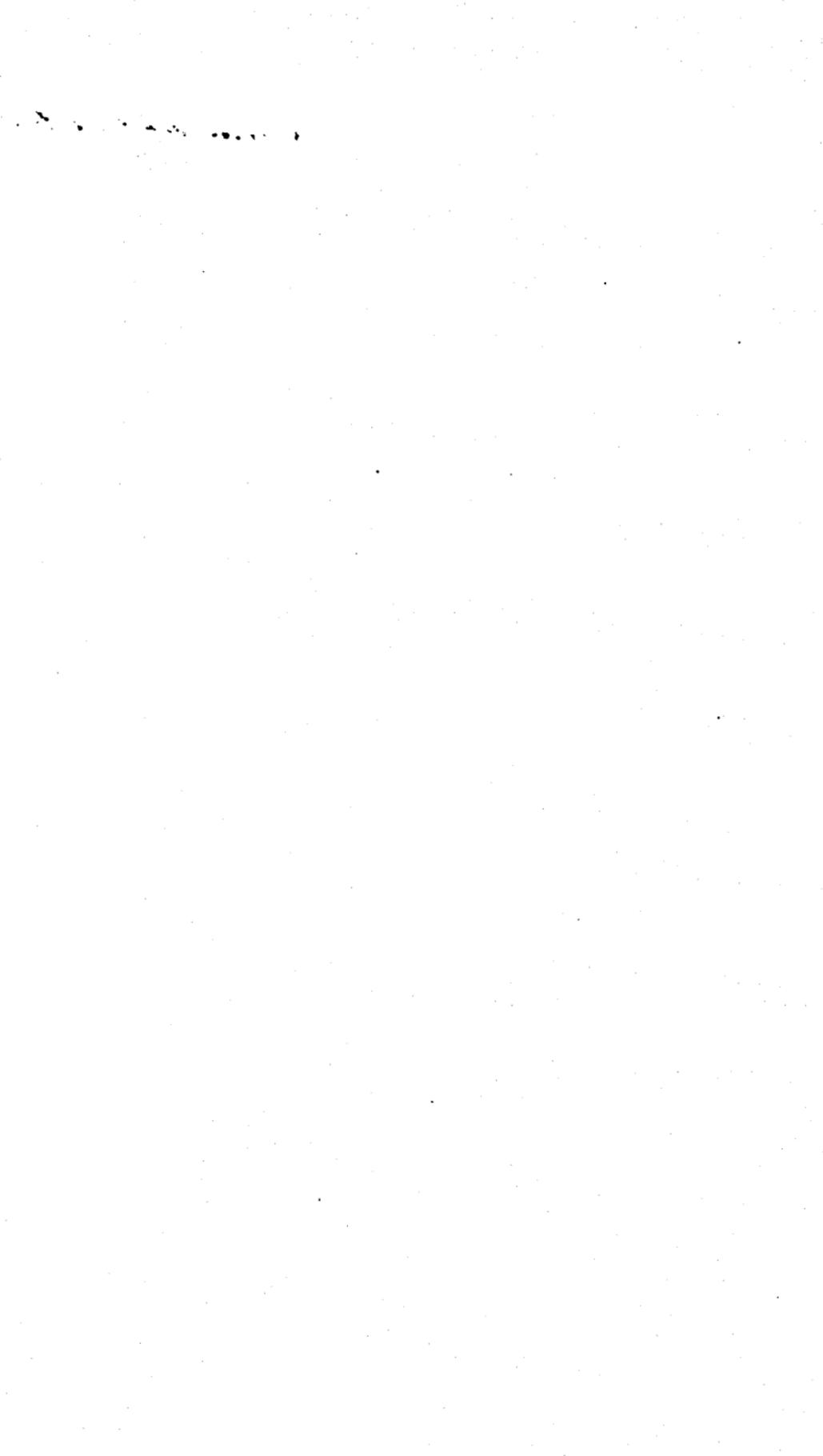
Certificate, how redeemable.

7. This act shall not go into operation until the sum of five thousand pounds shall have been contributed by devise or otherwise, and secured to the satisfaction of the governor in council, to be paid as the work progresses, in aid of the undertaking.

£5000 to be contributed.

8. The subscribers may elect from amongst themselves and recommend one person for a commissioner, and in case of vacancy may supply such appointment.

Contributors may elect one commissioner.



## CHAPTER 14.

An Act for applying certain Monies therein mentioned for the service of the year One thousand eight hundred and fifty-two, and for other purposes.

(Passed the 8th day of April, A. D. 1852.)

MAY IT PLEASE YOUR HONOR:

We, her majesty's dutiful and loyal subjects, the house of assembly of her majesty's province of Nova Scotia, towards appropriating the supplies granted to her majesty, and for supplying the exigencies of her majesty's government, do humbly beseech that it may be enacted: and

Be it enacted, by the governor, council, and assembly, as follows:—

1. Out of the monies which now are, or from time to time shall be or remain in the public treasury of this province, there shall be paid the following sums, viz:

Two hundred pounds to the speaker of the house of assembly, 200*l* Speaker. for his salary as speaker, for the present year.

Two hundred pounds to the clerk of the house of assembly, for 200*l* Clerk H.A. his services for the same year.

Twenty-five pounds to the chaplain of the house of assembly, for 25*l* Chaplain. his services during the present session.

One hundred pounds to the clerk assistant of the house of assembly, for his services for the same session. 100*l* Ast. Clerk.

Fifty pounds to the sergeant at arms to the house of assembly, for his services for the same session. 50*l* Sergeant at Arms.

Thirty pounds to the assistant sergeant at arms to the house of assembly, for his services for the same session. 30*l* Asst. Sergt. at arms.

Forty pounds to the messenger of the governor, and the executive and legislative councils, for the present year. 40*l* Messenger of governor.

Thirty pounds to John Fitzgerald, for his services as messenger to the house of assembly, during the present session. 30*l* J. Fitzgerald.

Eighty pounds to the clerk of the board of revenue, for his services for the present year. 80*l* Clerk board of revenue.

Two hundred pounds to the gauger and weigher for the district of Halifax, for his services for the present year, to include the marking of casks, if required by the government. 200*l* gauger & weigher.

One hundred pounds to the proof officer at Halifax, for his services in that capacity for the present year, and in lieu of all contingent expenses connected therewith. 100*l* proof officer.

Such further sum to be paid on the certificate of the board of revenue as may be sufficient to pay, at the rate of seven shillings and six pence a day, such persons as shall be employed by the receiver general as extra waiters for the port of Halifax during the present year—five shillings a day to such extra waiters when Allowance to waiters.

unemployed, and at the rate of five shillings a day to temporary waiters.

60/ Keeper of assembly. Sixty pounds to the keeper of the assembly house, council chamber, and law library, for the present year.

400/ Sable Is<sup>d</sup> Four hundred pounds at the disposal of the governor, for the support of the establishment at Sable Island, for the present year.

20/ E. Crowell. Twenty pounds to Edmund Crowell, to enable him to keep his establishment at Seal Island, for the relief of shipwrecked passengers for the present year.

20/ boat, &c. Mud Island. Twenty pounds to a competent person to enable him to keep a suitable boat and man at Mud Island to assist shipwrecked seamen.

50/ Packet Guysborough. Fifty pounds to such persons as will run a proper packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under the regulations of the general sessions of the peace for the counties of Guysborough and Richmond, to be paid on the certificate of such sessions that the packet has been properly kept, and run during the present year: Provided that the judges of the supreme court shall be taken without charge, if required, from Guysborough to Arichat, and from Arichat to Guysborough, on their circuit to Cape Breton, and that the packet shall also carry the mail between Guysborough and Arichat, if required.

20/ Ferry, Shubenacadie. Twenty pounds to aid the inhabitants of Douglas, at the mouth of the river Shubenacadie, in supporting a suitable boat or scow to run between Londonderry and that place, such boat or scow to be run under the regulations of the general sessions for the county of Hants, to be paid upon certificate of three justices of the peace residing in Douglas, that such boat has been running at least twice a week for six months to their satisfaction, under the regulations aforesaid.

20/ Ferry Cap: Briton. Thirty pounds to aid the inhabitants of Cape Breton in supporting a suitable boat or scow to run between McMillan's point, in Cape Breton, and Auld's cove in the county of Sydney, such boat or scow to be placed under the regulations of the general sessions for the county of Inverness.

1 1/2 each, ferryacn Shuben-a die. Ten pounds each to the two licensed ferrymen at the mouth of the Shubenacadie, in the counties of Colchester and Hants, for the transportation of horses and carriages across that river—to be paid on the certificate of the general or a special sessions of each county respectively, that such ferry has been duly attended, and proper boats procured and used.

10/ each, J & C Pernette. Ten pounds each, to John Pernette, and Charles Pernette, for keeping up the ferry over Lehave river.

10/ C. Craig. Ten pounds to Cornelius Craig, to enable him to keep up a ferry across the Narrows at the entrance of Sable river in the county of Shelburne, under the regulations of the sessions, and to be paid upon their certificate.

10/ J. Carter. Ten pounds to John Carter, or such other person as shall run a ferry boat or scow between his landing on the western side of the Gut of Canso, and Alexander McPherson's on the eastern side thereof—to be paid on the certificate of the sessions for the county

of Guysborough, that such boat or scow has been provided and run under their regulations and to their satisfaction.

Ten pounds to Alexander McPherson, to enable him to run a suitable ferry boat or scow between his landing on the eastern side of the Gut of Canso and John Carter's on the western side thereof—to be paid on the certificate of the sessions for the county of Richmond, that such boat or scow has been provided and run under their regulations and to their satisfaction.

Ten pounds each, to such persons as shall respectively keep up a ferry at the mouth of the harbor of Port L'Hebert—provided a boat be kept to convey horses and cattle across the harbor—to be paid on the certificate of the sessions for the county of Shelburne, that such boat has been properly kept and run under their regulations.

Ten pounds to Duncan McPhee, to enable him to maintain a ferry between Low Point and the Sydney Mines, at the mouth of Spanish River, in the county of Cape Breton—to be paid on the certificate of three of the justices of the peace for the county of Cape Breton, that he has faithfully discharged the duties assigned him by the sessions.

Fifteen pounds to William Cunningham and John Knowles, or such persons as shall keep a ferry across the narrows of the passage between Cape Sable Island and the main—such persons being furnished with suitable boats for the accommodation of passengers—to be paid on the certificate of the sessions for Shelburne, that such boats have been properly kept and run under their directions.

Fifteen pounds to aid in maintaining a ferry, during the present year, between Amherst and Minudie—such ferry to be under the regulations of the sessions for the county of Cumberland, and the foregoing sum to be paid on their certificate that the same has been conducted to their satisfaction.

Ten pounds each to the two licensed ferrymen at the mouth of the Grandique River, in the county of Richmond—to be paid on the certificate of the sessions for the county, that the work has been faithfully performed, and the public properly accommodated.

Twenty pounds to be at the disposal of the governor, to provide for the maintenance of ferries across Sheet Harbor and the mouth of the North-west Arm, in the county of Halifax.

Five pounds each, to such persons, one on each side of Liscomb's harbor, in the county of Guysborough, as shall maintain a ferry across the harbor during the present year—to be paid on the certificate of three justices of the peace for the county, that suitable boats have been provided, that the ferry has been conducted under the regulations of the sessions, and that the public have been properly accommodated.

Two pounds ten shillings each, to two ferrymen, one on each side of the Petite Passage; and five pounds to the ferryman at the Grand Passage in the County of Digby—to be paid on the certificate of three justices of the peace for the county, that suitable boats have been provided—that the respective ferries have

107 A. McPherson.

107 Ferry Port L'Hebert.

107 F. McPhee.

157 Wm. Cunningham &amp; Co. ferry C. Sable Island.

157 Ferry Amherst.

107 Ferry Grandique.

207 Ferries Sheet Harbor.

57 Ferry Liscomb's Harbor.

22 10s each for ferrymen Petite Passage  
57 Grand Passage.

been conducted under the regulations of the sessions, and that the public have been properly accommodated.

51 R. McNutt. Five pounds to Robert McNutt, to aid him in keeping a ferry across River Philip—such ferry to be under the regulation of the sessions of the county of Cumberland, and the foregoing sum to be paid on their certificate, that the same has been conducted to their satisfaction.

25/ Comm'rs. Poor. Twenty-five pounds to the commissioners of the poor in Halifax, to defray the expense of continuing the school in the poor house for the present year, for the benefit of orphans and poor children in that establishment.

50/ Dr. Grigor. Fifty pounds to the honorable doctor Grigor and his associates, in aid of the Halifax dispensary for the present year, provided they keep during the year, a sufficient quantity of vaccine matter.

50/ Breakwater French Cross. A sum not to exceed fifty pounds to be at the disposal of the governor to aid in the erection of the breakwater at French Cross, Aylesford, in King's County.

50/ Breakwater Ogilvie Brooks. A sum not to exceed fifty pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Ogilvie Brooks, in King's county.

50/ Breakwater Parrsborough. A sum not to exceed fifty pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Parrsborough, in the county of Cumberland.

25/ Breakwater Windsor. A sum not to exceed twenty-five pounds to be at the disposal of the governor, to aid in the erection of a breakwater at the mouth of Windsor River, in King's County.

100/ Breakwater Sonia's cove. A sum not to exceed one hundred pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Sonia's Cove in the county of Digby.

50/ Billevous cove. A sum not to exceed fifty pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Billevous Cove, Clare, in the county of Digby.

80/ Breakwater Wilmot. A sum not to exceed eighty pounds to be at the disposal of the governor, to aid in the erection of Gates' breakwater, at Wilmot, in the county of Annapolis.

50/ Breakwater Kelly's cove. A sum not to exceed fifty pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Kelly's Cove, in the county of Yarmouth.

50/ Givan wh'f. company. A sum not to exceed fifty pounds to be at the disposal of the governor, to aid the Givan wharf company in the county of King's.

30/ Breakwater Canada creek. A sum not to exceed thirty pounds to be at the disposal of the governor, to aid in the erection of the breakwater at Canada creek, in King's county.

100/ Breakwater Pleasant cove. A sum not to exceed one hundred pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Pleasant Cove, Clare, in the county of Digby.

50/ Breakwater Barnaby Mill cove. A sum not to exceed fifty pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Barnaby Mill Cove, in the county of King's.

A sum not to exceed fifty pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Hall's harbor, in King's county. 50/ Breakwater Hall's Harbor.

A sum not to exceed fifty pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Tancook, in the county of Lunenburg. 50/ Breakwater Tancook.

A sum not to exceed thirty pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Cape Cove, Clare, in the county of Digby. 30/ Breakwater Cape Cove.

A sum not to exceed fifty pounds to be at the disposal of the governor, to aid in the erection of the Gros Coque breakwater, Clare, in the county of Digby. 50/ Gros Coque Breakwater.

A sum not to exceed twenty-five pounds to be at the disposal of the governor, to aid in the erection of a breakwater at Bay Shore, near Freeman's Creek, in the county of Cumberland. 25/ Breakwater Bay Shore.

A sum not to exceed one hundred pounds to be at the disposal of the governor, to aid in clearing out and improving Sissiboo River, in the county of Digby; to be drawn and applied for that purpose when it shall appear to the governor in council that three hundred pounds have been subscribed and expended thereon, so that the whole expenditure shall amount to four hundred pounds. 100/ Sissiboo River.

A sum not to exceed one hundred pounds to be at the disposal of the governor, to aid the inhabitants of the county of Sydney in opening and improving the harbor of Tracadie, to be drawn and applied when it shall appear to the governor in council that the sum of two hundred pounds has been subscribed and expended thereon, in addition to the above grant. 100/ Harbor of Tracadie.

A sum not to exceed twenty-five pounds to be at the disposal of the governor, to aid in deepening the channel at Canso Tittle, in the County of Guysborough, to be drawn and applied when it shall appear to the governor in council that the additional sum of fifty pounds has been subscribed and expended thereon. 25/ Canso Tittle

A sum not to exceed one hundred pounds to be at the disposal of the governor, to aid the inhabitants of the county of Inverness to cut a portage from Big Harbor, Malagawatchkt, to River Dennis basin, to be drawn and applied when it shall appear to the governor in council, that the sum of two hundred pounds has been subscribed and expended thereon, in addition to the above grant. 100/ Portage Inverness.

A sum not to exceed twenty-five pounds to be at the disposal of the governor, to aid in cutting a canal between the harbors of Port La Tour and Cape Negro, in the county of Shelburne, to be drawn and applied for that purpose when it shall appear to the governor in council that the additional sum of fifty pounds has been subscribed and expended thereon, in addition to the expenditures already made. 25/ Canal Port La Tour.

Five pounds to aid in erecting a public slip for landing at Digby, to be paid on the certificate of the sessions, to such persons as shall satisfactorily perform the work. 5/ Landing Digby.

Five pounds to John Leary, the ferryman at Basin Gut, Sambro' in the county of Halifax. 5/ John Leary.

- 16/ each, ferry- Ten pounds each, to two ferrymen at Big Harbor, Bras d'Or  
men Big harbor Lake, in the county of Victoria, to be paid on the certificate of the  
sessions, that the ferry has been properly kept up for the accom-  
modation of the public.
- 20/ Beach Cape A sum not to exceed twenty pounds to be at the disposal of the  
Bretou. governor, to aid the inhabitants of the county of Cape Breton to  
cut the beach at Gabarus, into the pond near Joseph Gillis—to be  
drawn and applied when it shall appear to the governor in council  
that forty pounds have been subscribed and expended thereon, in  
addition to this grant, since the passing hereof.
- 100/ Envoys Har- Ten pounds to be at the disposal of the governor, to be expended  
bor Bouche. in placing buoys at the entrance of Harbor Bouche, in the county  
of Sydney.
- 100/ Beacon A sum not to exceed one hundred pounds to be at the disposal of  
Butler's Point. the governor, to aid in the erection of a beacon on Butler's Point,  
at the entrance of Yarmouth harbor; to be drawn and applied for  
the purpose when it shall appear to the governor in council, that  
one third of the whole expense of such beacon has been subscribed  
and expended thereon.
- 200/ Steam A sum not to exceed two hundred pounds to be at the disposal  
Boat Pictou. of the governor, to aid in running a steamboat between Pictou and  
Prince Edward Island, and to carry the mails—to be drawn and  
applied when it shall appear to the governor in council, that an  
equal sum for the same purpose has been granted by the legisla-  
ture of Prince Edward's Island.
- 17/ 6s 2d T. E. One pound six shillings and two pence to Thomas E. Moberly,  
Moberly. collector of impost and excise at Yarmouth, to reimburse him for  
expenditures in the discharge of his duties at that port.
- 15/ 11s 11d C. Fifteen pounds eleven shillings and eleven pence to Charles B.  
B. Owen. Owen, collector at Lunenburg, to reimburse him the amount sur-  
charged him for payment to gauger at that port.
- 40/ 15s 8d J. B. Forty pounds fifteen shillings and eight pence to Joseph B.  
Bond. Bond, collector at Yarmouth, to reimburse him the amount for-  
merly surcharged him as gauger at that port.
- 10/ M. Spinney Ten pounds to Martha Spinney, widow of Reuben Spinney,  
deceased, in full for the services of Reuben Spinney as seizing  
officer at Argyle.
- 4/ George J. Four pounds to George J. McDonald, guardian of the children  
McDonald. of Luther Porter, being the amount of Province notes destroyed  
by fire.
- 2/ J. Wheelock Two pounds sixteen shillings and three pence to Joseph Whee-  
lock, of Annapolis, being a return of duties paid by him on  
Canada flour.
- 18/ 5s 7d Andw Eighteen pounds five shillings and seven pence to Andrew D.  
D. DeWolfe. Dewolfe, of Horton, being a return of duties paid by him on  
Canada flour.
- 15s Gray and Fifteen shillings to Messrs. Gray and Pickman, of Annapolis,  
Pickman. being a return of duties paid by them on fire hose.
- 2/ 5s 6d J. B. Two pounds five shillings and six pence to J. B. Bonnett, of

Annapolis, being a return of light duties paid on the schooner Caroline, lost on her first voyage.

Forty-one pounds fifteen shillings and seven pence to the following persons, being a return of duties paid by them on machinery imported from the United States of America, to be distributed as follows: 41/ 15s 7d re- turn of duties on machinery.

|                                       |     |   |   |
|---------------------------------------|-----|---|---|
| To William Curry and others, Windsor, | £10 | 6 | 9 |
| G. and W. Eaton, Horton,              | 4   | 2 | 9 |
| Lequille mills company,               | 10  | 1 | 8 |
| Acadian iron mining company,          | 17  | 4 | 5 |

£41 15 7

One hundred pounds to Jacob Miller, for his services in attending the building of light houses at Baccaro, Port Medway, Peter's Island, Sand Point, Horton Bluff, Apple River, Black Rock, and Arichat, in the years 1849, 1850, and 1851. 100/ J. Miller.

Nine pounds and ten shillings to Doctor Carritt, in full for his services, pursuant to the report of the committee on sick emigrants. 9/ 10s. Doctor Carritt.

Three pounds to Doctor Creed, to defray funeral and other expenses connected with an emigrant, pursuant to the report of the same committee, to be distributed as follows: 3/ Dr. Creed.

|                       |    |    |   |
|-----------------------|----|----|---|
| To John Ash,          | £1 | 0  | 0 |
| Peter Leadbetter,     | 0  | 10 | 0 |
| Doctor Creed in full, | 1  | 10 | 0 |

£3 0 0

Three pounds thirteen shillings and four pence to the health officer at the port of Halifax, for visiting ships of war, pursuant to the report of the same committee. 3/ 13s 4d H<sup>l</sup>th. Officer, Halifax.

One pound twelve shillings and six pence to Jacob Deal, to reimburse him certain expenses in full, pursuant to the report of the committee. 1/ 12s 6d Jacob Deal.

Ten pounds twelve shillings and six pence to Doctor McKeown, of George Town, Prince Edward's Island, for nourishment and medical attendance furnished to Hugh Latters, a native of Nova Scotia. 10/ 12s 6d Dr. McKeown.

One hundred pounds to be at the disposal of the governor, to be expended in affording relief to the inhabitants of Canso and its vicinity, in purchasing provisions. 100/ provisions Canso.

Fifty pounds to be at the disposal of the governor, to provide for the more effectual collection of the revenue at the port of Arichat during the present year. 50/ Col. of revenue Arichat.

Thirty pounds to William Hill, in full for his services in furnishing shipping returns, pursuant to the resolution of the house of assembly passed in 1851. 30/ Wm. Hill.

Twenty-five pounds to be at the disposal of the governor, to compensate the clerks in the offices of controllers of customs, excise, and financial secretary's department, for their services in furnishing 25/ Clerks.

returns connected with the subject of reciprocal trade with the United States.

211 16s 8d Pau-  
per returns.

Twenty-one pounds sixteen shillings and eight pence, to be at the disposal of the governor, to pay the expense incurred in procuring pauper returns—to be distributed as follows:—

|                                           |    |   |   |
|-------------------------------------------|----|---|---|
| Joseph Dickson, county of Colchester.     | £4 | 0 | 0 |
| Alexander McDonald, county of Cumberland, | 3  | 0 | 0 |
| Thomas Logan, county of Sydney,           | 2  | 6 | 8 |
| William H. Chipman, King's county,        | 4  | 0 | 0 |
| Henry G. Farrish, county of Yarmouth,     | 2  | 6 | 8 |
| Hugh McDonald, St. Mary's, Guysborough,   | 1  | 0 | 0 |
| Wentworth Taylor, Guysborough,            | 4  | 0 | 0 |
| C. E. Leonard, Sydney, Cape Breton,       | 1  | 3 | 4 |

£21 16 8

210 2s 2d Trans-  
ient Paupers.

Two hundred and ten pounds two shillings and twopence, to defray the several amounts following, pursuant to the report of the committee on the subject of expenses incurred for the support of transient paupers, viz :

|                                                                              |     |    |    |
|------------------------------------------------------------------------------|-----|----|----|
| To the overers of the poor for the township of Dorchester, county of Sydney, | £14 | 9  | 6  |
| Do do for township of Shelburne,                                             | 17  | 5  | 6  |
| Do do do of Clements,                                                        | 15  | 12 | 0  |
| Do do township of Heron,                                                     | 21  | 6  | 0  |
| Do do do to pay Geo. Harvey, accounts 1850 and 1851,                         | 12  | 19 | 6  |
| Overseers of poor for township of Annapolis,                                 | 11  | 4  | 4  |
| Do do Cornwallis in full,                                                    | 27  | 8  | 11 |
| Do for No. 2, Douglas township,                                              | 5   | 15 | 0  |
| Do for Pictou, 1st section,                                                  | 27  | 18 | 9  |
| Do do 2nd section in full,                                                   | 8   | 1  | 5  |
| Do do 4th section in full,                                                   | 4   | 0  | 0  |
| Do for Egerton, 1st section in full,                                         | 9   | 9  | 0  |
| Do Guysboro' township in full,                                               | 8   | 17 | 3  |
| Doctor Ruggles, Weymouth, in full,                                           | 3   | 0  | 0  |
| Dr. Madden, Arichat, for services to Sophia Pizarro, in full,                | 10  | 0  | 0  |
| Barbary Martell, Arichat, in full,                                           | 4   | 10 | 0  |
| Barbary LeBlanc, Arichat, in full,                                           | 3   | 15 | 0  |
| Overseers Poor, Mills Village, Queen's county, in full,                      | 4   | 10 | 0  |

£210 2 2

1590 1 Commrs.  
Poor, Halifax.

One thousand five hundred pounds to the commissioners of the poor in Halifax, for the support of the transient poor for the present year.

300 1 Indians.

Three hundred pounds, to be at the disposal of the Governor, for the benefit of the Indians, for the present year.

731 1 Peniten-  
tiary.

Seven hundred and thirty-one pounds, to be at the disposal of the governor, to defray the expenses of the penitentiary for the present year.

One hundred and forty-four pounds ten shillings and six-pence sterling, to be at the disposal of the governor, to pay the provincial commissioners of the industrial exhibition that sum now due to them for expenses connected with such exhibition. 144l 10s 6d Commr's. Industrial Exhibition.

The sum of seven thousand and five hundred pounds for the great roads of this province, to be at the disposal of the governor, to be applied and expended agreeably to resolutions of the house of assembly, passed on the seventh day of April, 1852, and agreed to by the legislative council. 7500l great roads.

|                            |      |
|----------------------------|------|
| For the county of Halifax, | £860 |
| Colchester,                | 580  |
| Cumberland,                | 420  |
| Hants,                     | 700  |
| Kings,                     | 350  |
| Annapolis,                 | 350  |
| Digby,                     | 400  |
| Yarmouth,                  | 300  |
| Shelburne,                 | 300  |
| Queen's,                   | 260  |
| Lunenburg,                 | 440  |
| Pictou,                    | 400  |
| Sydney,                    | 150  |
| Guysborough,               | 180  |
| Inverness,                 | 420  |
| Cape Breton,               | 420  |
| Richmond,                  | 260  |
| Victoria,                  | 260  |
| Marshy Hope Road,          | 450  |

£7,500

The following sums for the several roads and bridges in the several counties in this province, to be applied and expended agreeably to resolutions of the house of assembly, passed on the seventh day of April, 1852, and agreed to by the legislative council, viz: Sums to be expended on roads and bridges.

One thousand two hundred and twenty pounds for the county of Yarmouth. 1220l. Yarmouth.

One thousand two hundred and twenty pounds for the county of Digby. 1220l. Digby.

One thousand two hundred and twenty pounds for the county of Shelburne. 1220l. Shelburne.

One thousand two hundred and twenty pounds for the county of Sydney. 1220l. Sydney.

One thousand one hundred and eighty pounds for the county of Queens. 1180l. Queen's.

One thousand two hundred and twenty pounds for the county of Richmond. 1220l. Richmond.

One thousand eight hundred and forty pounds for the county of Halifax. 1840l. Halifax.

One thousand five hundred pounds for the county of Hants. 1500l. Hants.

- 1650*l.* Inverness. One thousand six hundred and fifty pounds for the county of Inverness.
- 1350*l.* King's. One thousand three hundred and fifty pounds for the county of Kings.
- 1800*l.* Pictou. One thousand eight hundred pounds for the county of Pictou.
- 1460*l.* Colchester. One thousand four hundred and sixty pounds for the county of Colchester.
- 1460*l.* Cumberland. One thousand four hundred and sixty pounds for the county of Cumberland.
- 1500*l.* Lunenburg. One thousand five hundred pounds for the county of Lunenburg.
- 1300*l.* Annapolis. One thousand three hundred pounds for the county of Annapolis.
- 1420*l.* Cape Breton. One thousand four hundred and twenty pounds for the county of Cape-Breton.
- 1220*l.* Victoria. One thousand two hundred and twenty pounds for the county of Victoria.
- 1220*l.* Guysborough. One thousand two hundred and twenty pounds for the county of Guysborough.
- 540*l.* Controllers of customs. A sum not to exceed five hundred and forty pounds, to be at the disposal of the governor, to pay the sum of twenty pounds each, for their services during the past year, to the controllers of customs at the following ports :—  
Antigonishe, Argyle, Barrington, Beaver River, Cape Canso, Ship Harbor, Joggins, Maitland, Horton, Port Hood, Pubnico, Port Medway, Ragged Islands, Wilmot, Wallace, Weymouth, Walton, Cornwallis, Shelburne, St. Mary's River, West Port, Amherst, Annapolis, Sheet Harbor, LaHave, Tatamagouche, Bras d'Or Lake.
- 640*l.* Controllers of customs. A sum not to exceed six hundred and forty pounds, to be at the disposal of the governor, to pay the sum of twenty pounds for their services during the present year, to each of the controllers of customs at the following ports, on their services being duly performed :—  
Antigonishe, Argyle, Barrington, Beaver River, Cape Canso, Ship Harbor, Joggins, Maitland, Horton, Port Hood, Pubnico, Port Medway, Ragged Islands, Wilmot, Wallace, Weymouth, Walton, Cornwallis, Shelburne, St. Mary's River, West Port, Amherst, Annapolis, Sheet Harbor, LaHave, Tatamagouche, Bras d'Or Lake, Pugwash, Hauts Port, Londonderry, St. Mary's Bay, Canada Creek, Cornwallis.
- 15*l.* 10 6 Pictou telegraph company. Fifteen pounds ten shillings and six pence to the Truro and Pictou electric telegraph company, pursuant to the report of the committee on the electric telegraph accounts.
- 180*l.* 17 Gammell & Moore. One hundred and eighty pounds and seventeen shillings to Messrs. Gammell and Moore, in full for their claims respecting road advances, pursuant to the report of the committee.
- 22*l.* 10 J. Ferguson & others. Twenty-two pounds and ten shillings to John Ferguson, Charles E. Leonard, Junior, and James P. Ward, commissioners appointed by government for investigating accounts for over-expenditures in the county of Cape Breton in the years 1850 and 1851.
- 63*l.* 8 Damage to roads. Sixty-three pounds and eight shillings, to be at the disposal of the governor, to pay the following amounts in full of claims by the

parties, for damage done by the opening of roads through their lands, pursuant to the report of the committee on that subject:—

|                  |       |   |   |
|------------------|-------|---|---|
| H. A. Gladwin,   | £40   | 5 | 0 |
| James H. Roop,   | 6     | 3 | 0 |
| Hector McDonald, | 3     | 0 | 0 |
| John McLeod,     | 14    | 0 | 0 |
|                  | <hr/> |   |   |
|                  | £63   | 8 | 0 |

A sum not to exceed one thousand five hundred pounds, to be at the disposal of the governor, to aid in the erection of light houses at the following places during the present year, or as soon as the arrangements can be made, namely:

One or two light houses at Pictou Island, provided the government of Prince Edward's Island will assist in the erection and maintenance of such light houses on such fair and equitable proportions as may be agreed on between that government and the government of this province.

A light house at Devil's Island, at the entrance of Halifax harbor.

A light house at Ragged Islands, in the county of Shelburne.

A light house at the entrance of Pubnico harbor.

A light house at Partridge Island River.

Eight pounds to be at the disposal of the collector of customs at Liverpool, to enable him to procure a suitable revenue boat for that port, such sum to be deducted from the light duties collected by him. St. Collector of Customs Liverpool.

Forty pounds, to be at the disposal of the governor, to enable him to continue a suitable revenue boat at Cape Breton. 40/. Revenue boat Cape Breton.

Twenty pounds, to be at the disposal of the governor, to purchase a suitable revenue boat for Pictou. 20/. Revenue boat Pictou.

Twenty pounds to Robert Stone, additional, for his services as revenue officer at Wilmot for the past year. 20/. R. Stone.

Ten pounds to Samuel Sellon, superintendent of light houses at Coffin's Island, in Queen's county, pursuant to the report of the committee. 10/. S. Sellon.

Twenty pounds and fourteen shillings to Messrs. Locke and Churchill, for bounty on the schooner "Aurora", pursuant to the report of the committee on the fisheries. 20/. 14 Locke & Churchill.

A sum, not to exceed three thousand pounds, to be at the disposal of the governor, for the purpose of employing four suitable vessels to cruise on the coasts of this province for the protection of the fisheries. 3000/. Protection of fisheries.

A sum, not to exceed one hundred pounds, exclusive of the balance of last year's grant, to be at the disposal of the governor, to be expended in employing a person at each port of entry in the province, to obtain from masters of vessels their receipts for consular fees paid in the ports of the United States on each voyage. 100/. Receipts for consular fees.

Fifty pounds, to be at the disposal of the central board of agriculture, to enable them to advance the objects of the board, pursuant to the report of the committee on agriculture. 50/. Central board of agriculture.

2001. Reporting  
proceedings of  
assembly.

Three hundred pounds, to be at the disposal of the governor, to pay for reporting and publishing the proceedings of the house of assembly during the present session, to be applied under the direction of a committee to be appointed for that purpose.

377. 5 J. H.  
Crosskill.

Thirty-seven pounds and five shillings to John H. Crosskill, being the balance due him for printing the council journals for 1848, and in-full for that service.

5401. Oat Mills  
and kilns.

A sum, not to exceed five hundred and forty pounds, to be at the disposal of the governor, to aid in the erection of oat mills and kilns in the different counties during the present year; provided no greater amount than thirty pounds be allowed for any one county—that no person who has heretofore received aid for such purpose shall be entitled to any participation in the grant—that no more than fifteen pounds be applied in aid of any one oat mill and kiln, and only to that amount in cases where the kiln is at least fourteen feet in diameter—that no aid be granted where the kiln shall not be eleven feet in diameter, and only ten pounds where the kiln shall be eleven feet but not fourteen feet in diameter; and that no sum shall be paid hereunder, until it shall appear by certificate to the satisfaction of the governor in council, that the oat mill and kiln for which any such aid shall be claimed, are ready to be put in operation; which certificate shall also state the diameter of the kiln, and that the person claiming aid has never before received any grant for the purpose.

Sums to be re-  
funded to Sher-  
iffs.

Such sum, to be at the disposal of the governor, as will suffice to refund to the different sheriffs the sums paid by them at the secretary's office as fees on the commissions under which they are now acting; it being understood that such fee shall not be refunded where the sheriff has not been in office the year previous.

151. Rebecca  
Langley.

Fifteen pounds to Rebecca Langley, to assist her in keeping a house of entertainment for travellers, on the road between Musquodoboit and St. Mary's.

4811. 18 3 Com-  
missioners of  
pub. buildings.

Four hundred and eighty-one pounds eighteen shillings and three pence to the commissioners of public buildings, to defray the balance of expenses incurred by them during the last year.

501. Adj. and  
qr. mr. gen.  
militia.

Fifty pounds, to be at the disposal of the governor, to enable him to pay the adjutant general of militia the sum of thirty pounds, and to the quarter master general the sum of twenty pounds, for their services for the past year.

3951. 7 8 Public  
printing.

Three hundred and ninety-five pounds seven shillings and eight pence, to be at the disposal of the governor, to defray the amounts still due for public printing, pursuant to the report of the committee on that subject.

|                                    |      |    |   |
|------------------------------------|------|----|---|
| John S. Thompson, queen's printer, | £301 | 6  | 5 |
| Richard Nugent,                    | 36   | 19 | 0 |
| William Annand,                    | 13   | 7  | 6 |
| Athenacum office,                  | 1    | 18 | 9 |
| Wesleyan office,                   | 1    | 18 | 9 |
| C. M. McDonald,                    | 4    | 2  | 6 |
| John H. Crosskill,                 | 8    | 8  | 8 |

|                             |       |    |    |
|-----------------------------|-------|----|----|
| William Cunnabell,          | £0    | 7  | 0  |
| A. Lawson, Yarmouth,        | 1     | 10 | 0  |
| J. Bowes & Son,             | 5     | 0  | 0  |
| English & Blackadar,        | 5     | 6  | 3  |
| John Munro,                 | 4     | 12 | 10 |
| A. Grant,                   | 8     | 0  | 0  |
| James P. Ward, Cape Breton, | 2     | 10 | 0  |
|                             | <hr/> |    |    |
|                             | £395  | 7  | 8  |

One hundred and seventy-five pounds towards the support of 175l. Common  
common schools in the the county of Victoria, under the provisions schools.

Nine pounds fourteen shillings and nine pence to Charles B. 9l. 14 9 Charles  
Owen, of Lunenburg, being costs of a crown prosecution, pur- B. Owen.  
suant to the report of the committee on that subject.

Thirty pounds to James Marshall, of Guysborough, to reimburse 30l. James  
him for advances made by him, pursuant to the report of the com- Marshall.  
mittee.

Fifty pounds to Mrs. Charlotte Hoffman, widow of the late 50l. Charlotte  
Doctor Hoffman, who met his death while in the discharge of a Hoffman.  
public duty.

Such sum, to be at the disposal of the governor, as will be suffi- Postage public  
cient to repay the amount advanced from the treasury to defray departments.  
the expense of postage of the public departments during the past  
year.

Two hundred and fifty pounds, to be paid by quarterly pay- 250l. Free  
ments to the board of management of the free church academy church academy  
at Halifax, for the present year, upon the same terms as those  
imposed upon grants to similar institutions in the year 1845.

One hundred pounds towards the support of two or three gram- 100l. Grammar  
mar schools in the county of Victoria, under the provisions of schools, Victoria

Fifty pounds to the managers of the infant school at Halifax, in 50l. Managers  
support of that institution during the present year. infant school,  
Halifax.

Sixteen pounds thirteen shillings and four pence to the commis- 16l. 13 4 Conis-  
sioners of schools for the county of Inverness, to be applied as sioners schools,  
follows:—ten pounds six shillings and seven pence to be paid to Inverness.  
William Ayre, teacher at Margaree, and the balance £6 6 9 to  
be transferred to the common school fund.

Eleven pounds thirteen shillings and four pence to the superin- 11l. 14 4 Super-  
tendent of education, to enable him to defray the expense of tent of  
postage for the past year. education.

Fifty pounds to the clerk in the financial secretary's office, for 50l. Clerk Fin-  
his services to the board of statistics in preparing census returns. ancial secreta-  
ry's office.

Such sum, to be at the disposal of the governor, as will enable Remuneration  
him to remunerate the commissioners for issuing treasury notes, allowed Com-  
for their services, including the expense of their clerk, between missioners for  
the first day of February, 1849, and the first day of February, issuing treasury  
1852, at the rate of one-half per cent. on the amount of notes notes.  
actually signed, the same to be in full for all services performed by

them in signing and cancelling notes and stock certificates up to the latter date.

507. Colored population, Halifax.

Fifty pounds to be at the disposal of the governor, to be expended in affording relief to the colored population in the county of Halifax, by purchasing seed or provisions, as circumstances may require.

1007. Colored population, Hants, &c.

One hundred pounds, to be at the disposal of the governor, to purchase seed for distribution among the colored population in the counties of Hants, Queens, Yarmouth, Guysborough, Annapolis, Sydney, Shelburne, Digby, Kings, and Cumberland, to the amount of ten pounds in each county.

3007. Bridge River Philip.

Three hundred pounds to aid in the erection of a bridge over the River Philip.

Sums to be paid clerks of peace, &c.

Such sum of money, to be at the disposal of the governor, as will enable him to pay the sum of five pounds to the clerk of the peace in each county of the province, except Halifax and Pictou, for their services in preparing copies of assessment lists previously to the late election; and also to pay seven pounds ten shillings to the clerk of the peace for the county of Pictou—seven pounds ten shillings to the city treasurer of Halifax, and two pounds ten shillings to the clerk of the peace for St. Mary's, for similar services in those counties; but none of such monies shall be paid until it shall appear that the services have been performed.

Mail routes.

Such a sum, to be at the disposal of the governor, as will enable him to carry out certain alterations in the mail routes, as recommended in the report of the post office committee.

27. Way office keepers.

Two pounds per annum to all way office keepers, in full of arrears and franking privileges, and also commission of twenty per cent. on all sums above eight pounds collected by them, pursuant to the report of the same committee.

11007. Salaries, &c. postmasters.

Eleven hundred pounds, to be at the disposal of the governor, to enable him to pay to the various post masters throughout the province the sums recommended, in full for their salaries, office rent, and incidental charges, pursuant to the report of the same committee.

257. F. M. Passow.

Twenty-five pounds to Frederick M. Passow, as an addition to his salary, pursuant to the report of the same committee.

27. 10 Ferry-men Bear Rivr.

Two pounds and ten shillings to the ferryman at Bear River, pursuant to the report of the same committee.

31607. 1 10 to repay advances from treasury.

Three thousand one hundred and sixty pounds one shilling and ten pence, to be at the disposal of the governor, to repay the following advances made from the provincial treasury.

|                                                                      |     |    |   |
|----------------------------------------------------------------------|-----|----|---|
| Charles Robson, for supplies for destitute indians in King's County, | £15 | 0  | 0 |
| C. W. Fairbanks, plan and report on Arisaig pier,                    | 17  | 10 | 0 |
| Anastatia Phoran, expenses of shipwrecked seamen, at Sydney, C. B.   | 5   | 15 | 0 |
| W. Annand, railroad despatches, by order of government,              | 35  | 5  | 0 |

|                                                                                    |        |    |    |
|------------------------------------------------------------------------------------|--------|----|----|
| Clerk to financial secretary, extra services during the past year.                 | £50    | 0  | 0  |
| E. Bown, services as seizing officer, Eastern Passage,                             | 10     | 0  | 0  |
| The commissioners of public buildings, for 1851,                                   | 100    | 0  | 0  |
| A. Chisholm, aid in sending models to England and the United States,               | 50     | 0  | 0  |
| W. Faulkner, examination and report on disputed claims at Minudie,                 | 7      | 5  | 0  |
| Provincial Secretary, towards expense of delegation to England,                    | 625    | 0  | 0  |
| Richard Nugent, on account of public printing for 1851,                            | 300    | 0  | 0  |
| Richard Nugent, for printing revised statutes,                                     | 369    | 4  | 0  |
| John S. Thompson, on account public printing for 1851,                             | 350    | 0  | 0  |
| C. W. Fairbanks, for survey and plans of railway, east and west of Halifax,        | 40     | 0  | 0  |
| H. M. Watson, six months salary as post office surveyor,                           | 125    | 0  | 0  |
| P. M. Gen., expenses of establishment and of post communication,                   | 700    | 0  | 0  |
| Peter Crerar, survey, &c., of railroad, west branch River John,                    | 7      | 17 | 0  |
| Atty. Gen., expense of foreclosing mortgage on Shubenacadie canal,                 | 154    | 7  | 0  |
| J. B. McDonald, relief of destitute Indians in Pictou county,                      | 17     | 2  | 8  |
| C. W. Fairbanks, on account of plan and survey of railroad, east and west Halifax, | 100    | 0  | 0  |
| J. B. McDonald, relief of destitute indians, King's county,                        | 10     | 0  | 0  |
| Dr. Gesner, relief of destitute indians in western counties,                       | 50     | 0  | 0  |
| J. B. McDonald, supplies for destitute indians in Queen's county,                  | 20     | 15 | 8  |
|                                                                                    | <hr/>  |    |    |
|                                                                                    | £3,160 | 1  | 10 |

Twenty-five pounds in aid of the packet between Horton and Parrsborough, and Windsor and Parrsborough, such packet to make two trips each week, and carry the mails. 25/. Packet between Horton and Parrsboro.

Four hundred and sixty pounds sterling, for the salaries of the clerks in the provincial secretary's office, for the present year, to be appropriated and applied by the provincial secretary. 400/. Clerks Secy's office.

A sum not exceeding one hundred pounds sterling, for stationery and other contingencies of the provincial secretary's office for the present year, the expenditure to be accounted for at the next session of the general assembly. 100/. Stationery Secy's office.

Eighty pounds sterling, to the clerk of the crown in the supreme court for this province, for his services for the present year. 80/. Clerk of crown.

3647. 17 1 A.  
& W. McKinlay.

Three hundred and sixty-four pounds seventeen shillings and one penny to A. & W. McKinlay, in full of their account for stationery and binding for the house of assembly during the last year.

1627. 7 10 Clerk  
of assembly.

One hundred and sixty-two pounds seven shillings and ten pence to the clerk of the house of assembly, to defray the extra messengers and other services, and to pay for fuel and other articles for the house, during the present session, pursuant to the report of the committee on contingencies.

207. Master of  
the rolls, &c.

Thirty pounds sterling, to the master of the rolls, the judge of vice admiralty, and the judge of probate, at Halifax, for fuel and criers of their courts for the present year.

107. chairmen  
of committees

Ten pounds each, to the two chairmen of the committees of bills and supply, for their services for the present session.

157. Speaker.

Fifteen pounds to the honorable the speaker, to enable him to procure books and publications necessary for conducting the business of the assembly.

1907. each clerk  
and clerk asst.  
house assembly.

One hundred pounds, each, to the clerk, and clerk assistant of the house of assembly, for their extra services during the present session.

3757. Steamboat  
Halifax and St.  
John's, N. F.

Three hundred and seventy-five pounds to such person as shall run a suitable steamboat during the present year between Halifax and St. John's, Newfoundland, touching at Cape Breton going and returning; to be paid when it shall appear to the governor in council that the service has been properly discharged.

5907. annually,  
steamer Pictou  
and Quebec.

Five hundred pounds annually for the next three years, to be at the disposal of the governor, to aid the running of a steamer between Pictou and Quebec, touching at an intermediate port or ports in New Brunswick; to be drawn and applied for that purpose when it shall appear to the satisfaction of the governor in council that a proper boat has been kept and run, at least three times a month for seven months; and if such steamer shall only ply once a fortnight, then the sum of three hundred pounds is granted for the like purpose.

757. Steam boat  
St. Peter's.

Seventy-five pounds, to be at the disposal of the governor, to be paid to any person who will run a suitable steam boat during the present year from St. Peters, through the Bras d'Or Lake to Sydney, once a fortnight, and in the interval to ply as a passage boat regularly between Sydney and the North Bar.

Allowances to  
collegiate insti-  
tutions.

2. The allowances now made to the collegiate and academical institutions (other than King's college, Windsor) shall be continued under the existing regulations for the period of one year only.

2507. King's  
college.

3. In the event of the bill for discontinuing the grant to King's college, Windsor, passed by the house of assembly during the first session of 1851, going into operation, the sum of two hundred and fifty pounds shall be granted and paid to the governors of that institution towards its support during the present year.

Canal St. Pe-  
ter's Bay and  
Bras d'Or Lake.

4. Interest at the rate of three and a-half per cent. on the amount expended, not exceeding twelve thousand pounds, shall be

*+ Mr. J. P. P. by Act of 1853 c. 55 p. 181*

guaranteed to such company or persons as shall open a sufficient canal between St. Peter's Bay and the Bras d'Or Lake, in the Island of Cape Breton; provided that such payment from the treasury shall cease whenever the canal shall pay three and a-half per cent. over working expenses.

5. The sum of three pounds eight shillings and six pence, undrawn from the road monies for the county of Cumberland, shall be applied and expended on the main post road from Nappan bridge to Maccan bridge. 31. 8 6 Post road, Cumberland.

The sum of three pounds seven shillings and five pence, undrawn out of thirty-five pounds granted in 1851, to John W. Oxley, to repair a bridge in the county of Cumberland, shall be expended on the road from J. W. Oxley's, on shore road, to Sydney Chappel's. 31. 7 6 Change of road appropriation, Cumberland.

7. The sum of one hundred and fifty pounds sixteen shillings and nine pence of the road monies of the county of Halifax, remaining undrawn from the treasury, shall be applied for the purpose of opening certain sections of the road between the river bridge in upper Musquodoboit, and the north river, Sheet Harbor, including over-expenditures, namely:

|                                 |    |    |   |
|---------------------------------|----|----|---|
| For surveys, 1850,              | £4 | 1  | 0 |
| No. 7, John Leslie, 1851,       | 15 | 0  | 0 |
| “ 12, Peter Mosher, do.         | 0  | 3  | 7 |
| “ 33, Peter M'Mallen, do.       | 5  | 0  | 0 |
| “ 45, ——— Johnston, do.         | 6  | 11 | 9 |
| “ 46, Jeremiah West, do.        | 0  | 6  | 0 |
| “ 71, Grant to Anderson's mill, | 44 | 16 | 8 |
| “ 126, Unappropriated,          | 3  | 13 | 4 |
| “ 129, John Parker,             | 50 | 0  | 0 |
| “ 128, John Harley,             | 9  | 8  | 3 |
| “ 132, Unappropriated,          | 11 | 16 | 2 |

---

£150 16 9

8. The monies heretofore granted to grammar schools in the several counties of this province, and remaining undrawn from the treasury, except twenty-five pounds in Barrington, and thirty-seven pounds ten shillings in Annapolis, to be at the disposal of the superintendent of education, to be applied in aiding such grammar schools as may be hereafter established, in purchasing books and apparatus for the same; but no county shall receive more than fifty pounds of such amount in any one year. Sums at disposal of superintendent of education for purchase of books, &c.

9. Twenty-five pounds undrawn for a grammar school in No. 10 district, in the township of Barrington, shall be at the disposal of the superintendent of education, to be applied in the purchase of apparatus, pursuant to the report of the committee on education. 25l. Superintendent of education.

10. Thirty-seven pounds ten shillings undrawn for a grammar school at Paradise, county of Annapolis, shall be paid to the trustees of the grammar school at Annapolis, and the trustees of the grammar school at Bridgetown, in equal proportions, for the assistance of the master of each of the said schools. 37l 10 Trustees of grammar school, Annapolis, &c.

11. Out of the monies allotted for the support of common schools

2251 Common  
schools, Victoria

in the county of Cape-Breton before its division, the sum of two hundred and twenty-five pounds shall be applied towards the support of common schools in the county of Victoria, under the provision of chapter sixty, of the revised statutes.

Change of road  
appropriation.  
Queen's county.

12. The sum of one hundred and fifty pounds, granted in the sessions of 1851, to avoid the hill between Mack's Meadows and Cross Roads, near Herring Cove, in Queen's county, and remaining undrawn, shall be expended as follows: One hundred pounds on the hill and road between Mack's Meadows and Herring Cove, and the remaining fifty pounds to aid in completing the alteration of the road from Mills Villiage to Port Medway.

Ditto Pictou.

13. The sum of forty-one pounds and eight shillings of undrawn money in the county of Pictou, as reported from the committee on public accounts, viz:—

|                                     |         |
|-------------------------------------|---------|
| 61. Over-expenditure 1848 and 1849, | £2 17 0 |
| 66. E. McDonald, 1850,              | 5 0 0   |
| Donald McKay,                       | 7 3 4   |
| 51. William Chisholm,               | 7 10 0  |
| 102. Donald McDonald,               | 7 10 0  |
| 117. W. Gray,                       | 5 0 0   |
| 130. Mattheson and Thomas Horn,     | 6 7 8   |
|                                     | <hr/>   |
|                                     | £41 8 0 |

shall be re-appropriated and included in the scale of division of the road money for the said county for the present year.

Ditto Yarmouth

14. The sum of fifty seven pounds and ten shillings, remaining undrawn of the road grant for the county of Yarmouth, shall be applied as follows:

|         |                                                                                                                                                                         |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| £20 0 0 | granted in 1851, to be expended on road from Tusket Village to the west side of Eel Lake, shall be applied to the road from J. Burke's past Eel Lake to Isaac Millar's. |
| 12 10 0 | granted in 1851, on the new road from Crowell's towards Pleasant Valley bridge,                                                                                         |
| 25 0 0  | granted in 1849 for the same road, shall be applied to the new road leading from J. Knowles Crosby's to the Pleasant Valley road.                                       |

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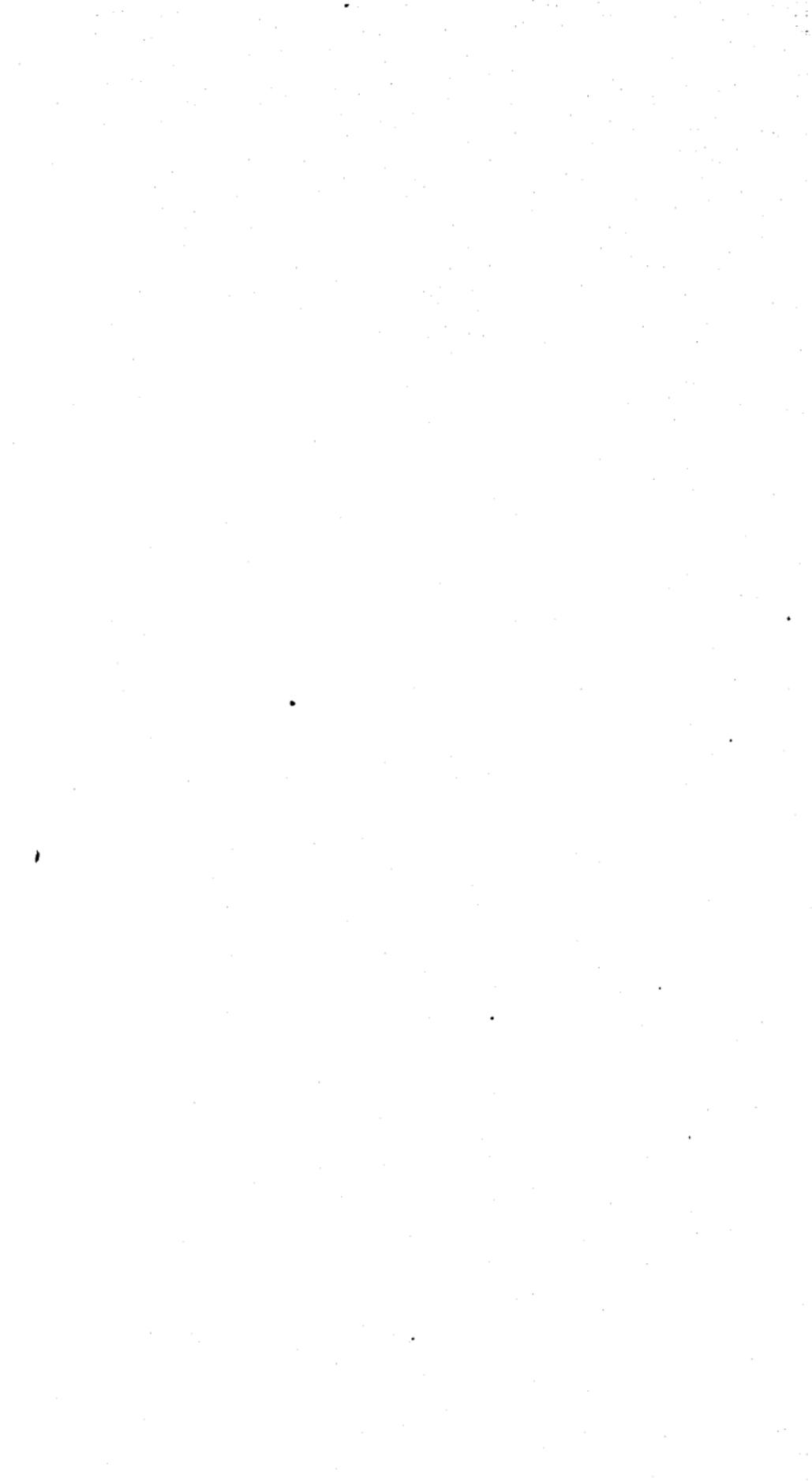
£57 10 0

Casualty vote.

15. If any of the bridges on the main post roads of this province shall be unexpectedly obstructed by any unforeseen accident or obstacle, it shall be lawful for the governor to order a commissioner to rebuild or repair such bridge, or to remove such obstructions; and it shall be lawful further, for the governor to draw warrants on account and in favor of such commissioner, provided the sum so to be drawn shall not exceed for the year, the sum of one thousand pounds; and the respective sums so drawn shall be charged at the next session of the assembly, as against the several counties in which the same shall be respectively expended.

16 No sums hereinbefore granted for aid to any breakwater, wharf or pier, shall be drawn from the treasury, until it shall appear to the satisfaction of the governor in council that the parties interested in or applying for aid to any such work, have subscribed and expended thereon, since the passing of this grant, at least three times the amount so granted, in addition to such grant, so that the whole amount expended on such work shall amount to four times the sum so granted, unless otherwise herein provided, and that the site thereof has been conveyed for the use of the public.

Sums allowed to  
breakwater, s  
&c.



**LOCAL ACTS.**

## CHAPTER 15.

## An Act to enable the Inhabitants of Digby to improve the Town Common.

(Passed the 8th day of April, A. D. 1852.)

## SECTION

1. Trustees—how appointed.
2. Title to vest in trustees.
3. Leases—how granted.
4. Trespasses—how recovered and applied. Accounts of trustees—how rendered and when.

## SECTION

5. Regulations concerning pasturage and for improvement of common. Penalties for breach of regulations.

Preamble.

Whereas, by letters patent dated the thirty-first day of January, in the year one thousand seven hundred and ninety seven, his late majesty king George the third, did grant to Isaac Bonnett, Henry Rutherford, and Jonathan Fowler, and their heirs, a certain piece of land contiguous to the town of Digby, containing twenty-seven acres and fourteen parts of an acre, in trust for the use and benefit of the inhabitants of that town, as a common.

And whereas, all the persons named in such trust have become deceased, and many inconveniences have arisen from the trust devolving on the heirs of such deceased trustees, and the common has become neglected and deteriorated.

And whereas, it is necessary that such common, as well as the land adjoining thereto, granted for a like purpose, should be made available for the use and benefit of the inhabitants of the town of Digby.

Be it enacted, by the Governor, Council and Assembly, as follows:

Trustees—how appointed.

1. The Sessions for the County of Digby may, annually, at the fall term, appoint three persons to be trustees for the common, and in case of vacancy occurring by death or otherwise, among such trustees, may supply such vacancy.

Title to vest in trustees.

2. The legal title in such common is hereby vested in such trustees, for the benefit of the inhabitants of the town of Digby.

Leases—how granted.

3. The trustees are empowered to lease, by public auction, to the highest bidders, portions of such common, for a term not exceeding ten years, in lots not exceeding ten acres to any one person; but the trustees shall not have more than one half of the common under lease at any one time.

Trespasses—how prosecuted. Penalties—how recovered and applied.

4. The trustees shall have power to prosecute all trespassers on the common, and to demand, sue for, and recover all amounts due under such leases, and all sums of money imposed by the sessions upon persons pasturing their cattle upon the common; and all such monies shall be applied by the trustees under the direction of the sessions, in improving and ornamenting such common, and the

trustees shall annually submit to the sessions an account of the expenditure of all monies received by them under this act.

5. The sessions, at their meeting at the fall term annually, shall have power to make regulations concerning the common, and the rates of pasturage thereon, and the clearing and improving thereof, and such other regulations as they think necessary with reference thereto, and any person committing a breach of any such regulations, shall, upon proof thereof before any justice of the peace in the county, forfeit and pay a fine not exceeding forty shillings, one half to be paid to the informer and one half to the trustees for the uses of the common.

Accounts of Trustees—how rendered and when.

Regulations concerning pasturage and for improvement of common.

Penalties for breach of regulations.

## CHAPTER 16.

An Act to amend the Act for regulating the Lunenburg Common.

(Passed the 31st day of March, A. D. 1852.)

SECTION 1. Powers vested in trustees by 10 Vic. ch. 44, restricted to such trustees, or a majority of them.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

1. The act tenth, Victoria, chapter forty-four, is hereby amended in this particular, to wit: all the powers by such act vested in the trustees or either of them, are hereby restricted to and vested in such trustees or a majority of them.

Powers vested in trustees by 10 Vic. cap. 44, restricted to such trustees or a majority of them.

## CHAPTER 17.

An Act concerning the Counties of Cape Breton and Victoria.

(Passed the 31st day of March, A. D., 1852.)

### SECTION

1. 14 Vic. c. 4, s. 2, repealed. Boundaries of county of Cape Breton defined. Boundaries of county of Victoria defined.
2. 14 Vic. c. 4, s. 7, amended. Terms of supreme court, where held and when.
3. Electoral district, county of Victoria, No. 1; polling place. Electoral dis-

### SECTION

- trict No. 2; polling place. Electoral district No. 3; polling place. Electoral district No. 4; polling place. Electoral district No. 5; polling place. Electoral district No. 6; polling place. Electoral district No. 7; polling place. Electoral district No. 8; polling place.
4. County of Cape Breton—polling place for electoral district No. 9.

Be it enacted, by the Governor, Council and Assembly, as follows :

1. The second section of the act fourteenth Victoria, chapter four, is repealed, and the following section is substituted in lieu thereof.

14 Vic. cap. sec. 2, repealed.

Boundaries of  
Co. C. Breton  
defined.

The county of Cape Breton shall comprise all that part of the late county of Cape Breton to the southward of a line commencing at the entrance of a large stream that falls into the sea, about three miles to the westward of Point Anconi, at the eastern extremity of the Island of Boularderie, and following the middle of the stream upwards, until it intersects the present highway between the great and little Bras d'Or; thence running parallel to the rear line of the front lot, on the north side of Boularderie, until it comes to the south-western corner of the Reverend James Fraser's lot, on the north side—thence south twenty degrees east, to the south-eastern shore of Boularderie, and to continue on the same course to the middle of the Bras d'Or lake—thence up the middle thereof westerly, to the middle of the strait of Barra—thence following the mid channel thereof to the western end of the Strait—thence in a direct line to the line at or near Point Malagawactchkt that separates the county of Cape Breton from the county of Inverness: and the county of Victoria shall comprise the remainder of the late county of Cape Breton, that is to say: all that part thereof to the northward of the line above described.

Boundaries of  
county of Vic-  
toria defined.

14 Vic. cap. 4,  
sec. 7, amended

Terms of sup-  
court—where  
held and when.

2. The seventh section of the same act is amended in this particular, namely:—The terms of the supreme court therein directed to be held at Baddeck, on the third Tuesday of the months of June and October respectively, shall be held on the second Tuesday of those months.

3. The following electoral districts for the county of Victoria, are established:

Electoral dis-  
trict Co. Victo-  
ria, No. 1.

Number one—To include the whole peninsula of Washabuck, from George McKay's point—thence along shore southwesterly, to the Big Narrows—thence westerly along shore to McKinnon's harbor—thence along shore, round the place commonly called the Grant, to the portage, the county line—thence north-easterly along shore, along Little Narrows and Washabuck to George McKay's point, the place of commencement.

Polling place.

The polling place to be at or near Donald McAuley's place, at Washabuck.

Electoral dis-  
trict No. 2.

Number two—To commence at the entrance of Rice's brook, on the northern shore of Baddeck river—thence running the windings of the shore to Middle River—thence along the shore of St. Patrick's Channel or Bras d'Or lake to the county line, north side Little Narrows—thence following the county line northerly and north-easterly to the western boundary line of district number four—thence southwardly along the said district line, until it is intersected by a line running in a north-easterly direction from the head of Rice's brook, to the western boundary of district number three—thence north-westerly along the last mentioned line, to the head of Rice's brook—thence down the windings of that brook to the place of commencement.

Polling place.

The polling place to be at or near Kenneth McLeod's, Middle River.

Number three—To commence at the head of Plaister Harbor, north side great Bras d'Or—thence along the western shore to Red Head—thence up mid channel, to Morrison McDonald's point—thence running to the mouth of Baddeck river—thence running along the shore of such river to the entrance of Rice's brook—thence following the windings of the brook to its source—thence to run in a north-easterly direction, until it strikes the western boundary line of district number four—thence, in a southerly direction, along such district line, to the head of Plaister Harbor. Electoral district No. 3.

The polling place to be at the court house in Little Baddeck. Polling place.

Number four.—To commence at the head of Plaister Harbor—thence by a line running north-westerly to the county line—thence along the county line north-eastwardly to the head of Barassois river—thence down stream to the rear of the front lots, Barassois—thence, in a southerly direction, to Smith's Mountain—thence, up stream, St. Ann's Harbor, to the place formerly occupied by John McLeod, South Gut—thence across the mountain, along the road to Alexander McDonald's, Muillar, on the north side of Great Bras d'Or; both McLeod's and McDonald's included—thence along shore westerly, to the head of Plaister Harbor, the place of commencement. Electoral district No. 4.

The polling place to be at or near John Munro's, St. Ann's. Polling place.

Number five.—To commence at Alexander McDonald's, Muillar, on the north side of Great Bras d'Or—thence down stream, the entrance of Bras d'Or, round Cape Dauphin—thence up stream, including the south side of St. Ann's, to the place formerly occupied by John McLeod, South Gut, St. Ann's—thence to William Smith's, Rinous—thence down shore, St. Ann's to Smoky Head. Electoral district No. 5.

The polling place to be at or near William Ross', St. Ann's entrance. Polling place.

Number six.—To include the whole of the Island of Boulardrie that appertains to the county of Victoria. Electoral district No. 6.

The polling place to be at or near Alexander Munro's school house, north side of Boulardrie. Polling place.

Number seven.—To commence at the boundary line of number five, at Smoky Head, along the settlements of Ingasu and Inganish, to Black Brook. Electoral district No. 7.

Polling place to be at or near John Burk's, Inganish. Polling place.

Number eight.—To commence at Black Brook, thence to White Point, and Cape North Bay, and Bay St. Lawrence, to the county line near Cape St. Lawrence. Electoral district No. 8.

The polling place to be at or near John McPherson's, Middle Harbor, Cape North. Polling place.

The polling place for electoral district number nine, in the county of Cape Breton, shall be at the school house near Christ-mas Island. County of Cape Breton—polling place for electoral district No. 9.

## CHAPTER 18.

An Act to extend to the Village of Truro the Law relating to Commissioners of Streets.

(Passed the 31st day of March, A. D. 1852.)

### SECTION

1. Chap. 64 revised statutes extended to Truro. Limits defined.

### SECTION

2. Commissioners—how appointed.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

1. The provisions of the sixty-fourth chapter of the revised statutes are hereby extended to the village of Truro, in the County of Colchester, within the following limits: Bounded north by the line between Truro and Onslow—west by a line at right angles thereto, passing by the presbyterian meeting house—south by a line parallel with the first line, and to run one mile south of the court house, and east by a line parallel with the west line, and to run along the east line of the lane called David Fulton's lane.

2. The governor in council may appoint three fit persons, inhabitants of the village of Truro, to be commissioners for the purposes of this act.

Ch. rev. stat.  
extended to  
Truro.

Limits defined.

Commrs.—how  
appointed.

## CHAPTER 19.

An Act to extend to the Village of New Caledonia, the Law relating to Commissioners of Streets.

(Passed the 31st day of March, A. D. 1852.)

### SECTION

1. Chap. 64 revised statutes extended to New Caledonia. Limits defined.

### SECTION

2. Commissioners—how appointed.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

1. The provisions of the sixty-fourth chapter of the revised statutes are hereby extended to the village of New Caledonia, in the county of Annapolis, within the following limits :

From Jacob Sturk's west line, west to William M. Weather-spoon's west line, bounded south by the Annapolis river, and running north half a mile from the main road.

2. The governor in council may appoint three freeholders, inhabitants of the village, to be Commissioners for the purposes of this act.

Ch. 64 rev.stat.  
extended to  
New Caledonia.

Limits defined.

Commrs.—how  
appointed.

## CHAPTER 20.

An Act to provide for the opening of a Road between Annapolis and Liverpool.

(Passed the 31st day of March, A. D. 1852.)

## SECTION

1. Commissioners—appointment and duty of.
2. Annual appropriation to be set apart for opening road.

## SECTION

3. Amount to be borrowed limited.
4. Operation of Act.

Be it enacted, by the governor, council and assembly, as follows:

1. Whenever it shall appear to the satisfaction of the governor in council that such sum has been advanced or agreed to be advanced by any person, as will suffice, with the monies set apart from the road appropriation of the county of Annapolis, during the present year, to complete the road from Annapolis to Liverpool, through Gray's Settlement—such advance to be made as required during the progress of the work—the governor may appoint commissioners to superintend the expenditure of the amount, who shall proceed to lay out the same and make return thereof as required by law.

Commrs. appointed and duty of.

2. Until all the advances made for the purpose of opening such road, with legal interest thereon, are repaid, there shall be set apart from the annual appropriation for the road service of the county of Annapolis, one hundred pounds, with interest on the balance remaining due; such sum of one hundred pounds and interest to be paid to the person advancing, by warrant on the treasury, which the governor is hereby authorised to draw in favor of such person.

Annual appropriation to be set apart for opening road.

3. No greater sum shall be borrowed or advanced under this act, than three hundred pounds.

Amount to be borrowed limited.

4. This act shall not go into operation until it shall appear to the satisfaction of the governor in council, that at least one hundred pounds has been subscribed by individuals, to be expended for the purposes hereof, under such commissioners.

Operation of Act.

## CHAPTER 21.

An Act to enable the City of Halifax to borrow One thousand pounds, and a further sum of Five hundred pounds, for the improvement of the Common.

(Passed the 8th day of April, A. D. 1852.)

**SECTION**

1. City empowered to borrow £1000.
2. Also £500 for improvement of common.

**SECTION**

3. Lenders to receive certificates.
4. Repayment provided for.

Preamble.

Whereas, the city of Halifax is at present unable to pay the current demands on its treasury, owing to circumstances not anticipated, and have requested authority to borrow one thousand pounds, to be provided for in their next general assessment.

Be it enacted, by the governor, council and assembly, as follows:

City empowered to borrow £1000

1. The mayor and common council of the city of Halifax, shall have power to borrow a sum or sums of money not to exceed in the whole, one thousand pounds, at interest not over six per cent. per annum, the repayment of which shall be made out of the assessment of the present year.

And whereas, a further sum will be required for the improvement of the common:

Also £500 for improvement of common.

2. The mayor and common council of the city of Halifax shall have power to borrow a sum or sums of money, not to exceed in the whole, five hundred pounds, at a rate of interest not over six per cent. per annum, to be expended by the city council, or under their directions, for the improvement of the common.

Lenders to receive certificates.

3. The lenders shall receive, each, a certificate under the city seal, signed by the mayor and countersigned by the city clerk, specifying the terms of loan and rate of interest.

Repayment provided for.

4. Until such sum of five hundred pounds is fully paid off, with interest, the rents and proceeds of the common lots and common, shall form a separate fund in the hands of the city treasurer, from which annually shall be paid off the interest due on the loan, and fifty pounds towards the principal, and no part of any year's income of the common shall be applicable to any other purpose, until the interest then due, and such fifty pounds shall have been first paid therefrom.

## CHAPTER 22.

An Act to authorise a loan for the erection of a Court House and Jail in the County of Victoria.

(Passed the 31st day of March, A. D., 1852.)

### SECTION

1. Commissioners empowered to borrow £1000.
2. Repayment provided for.

### SECTION

3. Commissioners to give bonds to lenders.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

1. Alexander Taylor, Duncan McRae, William Kidston, Alfred F. Halliburton, and William Jones, commissioners appointed at a special sessions held at Baddeck, in the county of Victoria, under the tenth section of the act fourteenth Victoria, chapter four, are hereby authorised to borrow, on the credit of the county, such sums of money as may be required to provide a sufficient court house and jail for the county: provided, the amount raised under this act shall not exceed one thousand pounds, with interest at a rate not exceeding six per cent.

Comms. empowered to borrow £1000.

2. The county of Victoria shall be liable to repay and make good to the lenders of the fund all monies borrowed under this act, with the interest thereon, and the real and personal estate in the county shall be liable to be assessed for such purpose, by any general or special sessions of the county.

Repayment provided for.

3. The commissioners above named are authorised to enter into such bonds as may be required by parties advancing money under this act, but they shall only be liable in their official capacities as such commissioners.

Comms. to give bonds to lenders.

## CHAPTER 23.

An Act further to amend the Acts regulating the Town Marsh at Annapolis.

(Passed the 31st day of March, A. D., 1852.)

### SECTION

1. Forfeitures altered.
2. Rights of common—value of.

### SECTION

3. May be devised.
4. May be released.

Be it enacted, by the governor, council and assembly, as follows :

1. The act fourteenth Victoria, chapter five, entitled, "An act for the regulation of the town marsh at Annapolis," is amended in these particulars, viz :

Forfeitures al-  
tered.

The forfeiture under the fourth section, in addition to the money and value of materials assessed, shall be five shillings, instead of four shillings, for every day's manual labor, and ten shillings, instead of seven shillings and six pence, for every day's labor of a horse or ox team.

Rights of com-  
mon—value of.

2. The sum required to obtain a right of common, under the eighth section, shall be fifteen pounds, instead of five pounds.

May be devised.

3. Commoners may devise their rights in such marsh to any member of their family, being a resident in the town of Annapolis, and such devisees shall have the same right.

May be releas-  
ed.

4. Commoners may release their rights in such marsh to the other commoners, and shall thereby forfeit all rights in such marsh, and be relieved from any future liability for diking or otherwise in respect of such rights.

## CHAPTER 24.

An Act relating to the Oakland Common, in the Township of Lunenburg.

(Passed the 31st day of March, A. D. 1852.)

### SECTION

1. Trustees—how appointed.

### SECTION

2. Powers of Trustees. Penalty for breach of regulations.

Preamble.

Whereas, a certain piece of land situate at Mahone Bay, in the Township of Lunenburg, known as the Oakland Common, was granted by his late majesty, king George the third, in the year of our Lord one thousand seven hundred and seventy-three, to Zebastian Zuberbuhler, Philip Knaut, and Peter Zwickler, and the survivor of them, and the heirs of such survivor, in trust for the use and benefit of themselves and certain other persons therein named, for a common.

And whereas those trustees have long since departed this life, and the grant contains no provision for supplying the vacancies thus created, whereby the common has become injured and neglected.

Be it enacted, by the governor, council and assembly, as follows :

Trustees—how  
appointed.

1. The governor may appoint four fit persons to be trustees of oakland common, who shall have all the powers conferred by such grant on the original trustees, and who may sue, commence and prosecute any actions respecting encroachments on the common, and may also defend any actions that may be brought against them in respect thereof.

Powers of trust-  
tees.

2. The trustees may lease such portions of the common as they deem advisable, for any period not exceeding twenty-one years, and may apply the rents arising therefrom in cultivating, fencing and improving the common, establishing the boundaries thereof and

defending the title thereto; and they may make such rules and regulations as they shall see fit, for the protection and management of such common; and any person transgressing those rules and regulations shall pay a fine not exceeding two pounds nor less than five shillings, to be sued for and recovered by the trustees before any justice of the peace for the County of Lunenburg, as in case of debt.

Penalty for  
breach of regula-  
tions.

## CHAPTER 25.

An Act to provide for the erection of a Bridge over the River Philip.

(Passed the 8th day of April, A. D. 1852.)

### SECTION

1 County may borrow £1000. Repay-  
ment.

### SECTION.

2. Money—how expended.

Whereas, it is expedient to borrow, on the credit of the county Preamble.  
of Cumberland, one thousand pounds, for the construction of a  
bridge over the River Philip.

Be it enacted, by the governor, council and assembly, as  
follows:

1. The members of the county of Cumberland may borrow, on County may  
the pledge of the road monies of the county and the security of borrow £1000.  
this act, a sum not to exceed one thousand pounds, to be expended  
in the erection of a bridge across the River Philip—such loan to  
be repaid by annual instalments of three hundred and thirty-three Repayment.  
pounds six shillings and eight pence out of the road grants for the  
years one thousand eight hundred and fifty-three, one thousand  
eight hundred and fifty-four, and one thousand eight hundred and  
fifty-five, with interest at the rate of six per cent. until the whole  
sum borrowed has been repaid.

2. The money borrowed under this act shall be expended by a Money—how  
commissioner or commissioners to be appointed by the governor in expended.  
council.

### CHAPTER 26.

An Act to alter the time of holding the Sessions for the Counties of Inverness and Richmond.

(Passed the 8th day of April, A. D., 1852.)

SECTION

1. Time of holding spring sessions for Inverness and Richmond, altered.

SECTION

2. Proceedings of last session confirmed.

Be it enacted, by the governor, council and assembly as follows:

Time of holding spring sessions for Inverness and Richmond, altered.

1. The second section of chapter forty-four of the revised statutes is amended in these particulars, that is to say:

After the present year, the spring sessions for the county of Inverness shall meet on the second Tuesday of March, instead of the third Tuesday of April, and the grand jury shall attend such sessions on the second Tuesday of March instead of the third Tuesday of April.

The sessions for the county of Richmond shall hereafter be held on the second Tuesday of February, instead of the time now by law prescribed therefor.

Proceedings of last sessions confirmed.

2. The proceedings of the sessions for the county of Richmond, held on the first Tuesday of March in the present year, if in other respects legal, are hereby confirmed, notwithstanding the same should have been held on the third Tuesday of December.

### CHAPTER 27.

An Act to amend the Act for regulating the Commons at Sydney, in the County of Cape Breton.

(Passed the 8th day of April, A. D. 1852.)

SECTION 1.—Terms of Leases may be 99 years.

Be it enacted, by the governor, council and assembly, as follows:

Terms of lease may be 99 years

1. The last clause or so much of the third section of the above act, as limits the powers of the trustees of the commons at Sydney to grant leases of such lands or any part thereof for any longer period than twenty-one years, is hereby repealed, and, in lieu thereof, the trustees shall have power to grant leases of such lands for a term not exceeding ninety-nine years.

## CHAPTER 28.

An Act to authorise the sale of the Sydney Academy, and the lot of land on which it stands.

(Passed the 8th day of April, A. D. 1852.)

## SECTION

## SECTION

1. Commissioners appointed.
2. Mode of sale.

3. Proceeds, how applied.

Be it enacted, by the governor, council and assembly, as follows :

1. William Ousely, John Ferguson, and George E. Burchell, Commissioners appointed.  
all of Sydney, in the county Cape Breton, esquires, are appointed commissioners for the purposes of this act.

2. The commissioners may make sale of the academy, situate in Mode of sale.  
Sydney, in the county of Cape Breton, and the lot of land, in whole or in part, on which it stands—having given notice of such sale by hand-bills posted in at least five of the most public places in the township, for at least ninety days previous thereto, and shall execute a deed to the purchaser, which shall vest in him the title in fee simple; but no such sale shall be made until the written assent of all parties holding incumbrances thereon shall have been obtained.

3. The commissioners, after paying the expenses of executing Proceeds, how applied.  
this act, shall pay off the mortgage thereon, or such portion thereof as the funds will suffice to pay, and should any balance remain, the same shall be paid into the Cape Breton county treasury, to be disposed of by the sessions for educational purposes in the town of Sydney.



PRIVATE ACTS.

### CHAPTER 29.

An Act to enable Thomas Robson to obtain Letters Patent for the invention of a Horizontal Windmill.

(Passed the 31st day of March, A. D. 1852.)

SECTION 1. Patentee entitled to benefit of chapter 120 of revised statutes.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

Patentee entitled to benefit of chap. 120 of revised statutes

1. It shall be lawful for Thomas Robson, of Sackville, in the Province of New Brunswick, upon his having complied with the provisions of chapter 120 of the revised statutes, to obtain letters patent for his invention of a pneumatic machine or horizontal windmill, for giving motion to his fog bell or gong, or other contrivance for emitting sound, or for impelling machinery of any description whatever, notwithstanding his residing out of this province, to the same extent in every respect as if he had been an inhabitant thereof, and had resided therein for one year previous to such application being made—and after such letters patent are obtained, he shall be entitled to all the rights and privileges by such acts conferred.

### CHAPTER 30.

An Act to incorporate the Acadia Lodge, number twenty-six, of the Independent Order of Odd Fellows.

(Passed the 31st day of March, A. D. 1852.)

SECTION

- 1. name of lodge.
- 2. Real estate.

SECTION

- 3. Property, how vested.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

Name of lodge.

1. Past grands Elbridge G. Fuller, John Campbell, and Charles H. Hamilton, noble grand Samuel C. West, and vice grand Peter H. Lenoir, and all others who now are or shall become members of the lodge hereby incorporated, according to the rules and bye-laws thereof, are created a body corporate, by the name of Acadia lodge, number twenty-six, of the independent order of Odd Fellows, for the purpose of managing the pecuniary affairs of the lodge.

Real estate.

2. The corporation shall not hold real estate at any one time to a greater value than two thousand pounds.

Property, how vested.

3. The property belonging to Acadia lodge, and all debts due thereto, shall vest in the lodge, as hereby incorporated, and no

person now or hereafter to become a member of the lodge, shall have power to assign any interest which he may have in the funds or property of the lodge, but the same shall at all times remain under the control of the lodge, and liable for the debts and engagements thereof, and shall not be subject to the private debts of any of its members; and nothing herein contained shall affect private rights otherwise than hereinbefore mentioned.

### CHAPTER 31.

#### An Act to incorporate the Weymouth Wharf Company.

(Passed the 31st day of March, A. D. 1852.)

SECTION

- 1. Name of company.
- 2. Real estate, capital, shares.

SECTION

- 3. Pier, &c. may be erected. Dockage, &c.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

1. Stephen Payson, Robert Journey, James Journey, Joseph White, John P. Dahlgreen, William Payson, Ceriac Goddert, and such other persons as are now or shall become shareholders in the corporation hereby established, their successors and assigns, are created a body corporate, by the name of "the Weymouth wharf company."

2. The company shall not hold real estate of greater value than two thousand pounds, and the capital of the company shall be limited to two thousand pounds, to be divided into shares of one pound and ten shillings each.

3. The company may erect a public pier or wharf and stores and buildings, at Weymouth, in the county of Digby, on any land or land covered with water owned by the company—such pier or wharf, stores and building, to be open and free for the use of all vessels and persons, and to be subject to such rates of dockage, wharfage, and storage as shall be established by the company, under the sanction and approbation of the sessions.

### CHAPTER 32.

An Act to incorporate the Canard Temperance Hall Company.

(Passed the 21st day of March, A. D. 1852.)

SECTION

- 1. Name of company.
- 2. Real estate, capital, shares.

SECTION

- 3. Management.
- 4. Liability of members.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

1. Charles C. Hamilton, James Hardwick, David Dickey, junior, Jonathan Borden, W. H. Lyons, William Gilleatt, Richard Starr, Charles Dickey, Joshua Ells, James Eaton, John O. Pineo, Levi C. Woodworth, Judah B. Rockwell, Mayhew Beckwith, and such other persons as are now or hereafter may become shareholders in the company hereby established, their successors and assigns, are created a body corporate, by the name of "the Canard temperance hall company," for the purpose of erecting a temperance hall at Canard, in King's County.

2. The company may hold real estate not exceeding in value two thousand pounds, and the capital stock of the company shall be limited to two thousand pounds, to be divided into shares of one pound each.

3. The property and business of the company shall be under the management of a president, and such other officers as may be directed by the bye-laws.

4. No member of the company shall be liable in his person or separate estate for a greater amount, in the whole, than double the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company.

Name of company.

Real estate, capital, shares.

Management.

Liability of members.

### CHAPTER 33.

An Act to incorporate the Louisburg Fishing Company.

[Passed the 31st day of March, A. D. 1852.]

SECTION

- 1. Name of company.
- 2. Real estate.
- 3. Capital limited. Operation, when to commence.

SECTION.

- 4. Liability of members.
- 5. Bye-laws, &c. to be registered.
- 6. Dissolution.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

1. Nicholas H. Martin, William Ousely, Peter Hall Clarke, Charles E. Leonard, John Scott, Charles McAlpin, Edward P. Archibald, William Kynoch, Blowers Archibald, John D. Gillis, Charles F. Barrington, David McKay, Charles E. Leonard, Junior, and such other persons as are now or may become shareholders in the company hereby established, their successors and assigns, are created a body corporate by the name of "the Louisburg fishing company," for the purpose of prosecuting the fisheries from Louisburg, and for trading purposes connected therewith. Name of company.

2. The company may hold real estate not exceeding the value of twenty thousand pounds, sterling. Real estate.

3. The capital stock of the company shall be fifty thousand pounds, sterling, but may be increased from time to time by any sum not exceeding in the whole, twenty thousand pounds, sterling—such capital to be divided into shares of five pounds, sterling, each—the company not to go into operation until five thousand shares are subscribed, and the amount thereof actually paid in to the credit of the company. Capital limited.  
Operation, when to commence.

4. No member of the company shall be liable in his person or separate estate for a greater amount, in the whole, than double the amount of stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company. Liability of members.

5. The bye-laws and list of shareholders shall be registered at the office of the registrar of deeds for the county of Cape Breton. Bye-laws, &c. to be registered.

6. The corporation may be dissolved by the consent of two thirds of the shareholders. Dissolution.

## CHAPTER 34.

### An Act to incorporate the Troop Cove Pier Company.

(Passed the 31st day of March, A. D., 1852.)

#### SECTION

1. Name of company.
2. Real estate.
3. Management and capital. Shares, £5.

#### SECTION

4. Pier, &c. may be erected. Dockage, &c.

Be it enacted, by the lieutenant-governor, council and assembly, as follows:

1. Charles J. Troop, Timothy Brooks, Handley Chute, Peter Farnsworth, David Chute, and such other persons as are now or shall become proprietors of shares in the corporation hereby established, their successors and assigns, are hereby constituted a body corporate, by the name of "the Troop Cove Pier Company." Name of company.

2. The company shall not at any time, hold real estate of greater value than two thousand pounds. Real estate.

3. The property and business of the company shall be under

Management and capital.

the management of a president and such other officers as may be directed by the bye-laws, and the capital of the company shall be limited to two thousand pounds, to be divided into shares of five pounds each.

Shares, £5 each

Pier, &c. may be erected.

‡. The company may erect a public pier or wharf at Troop's Cove, in the county of Annapolis, upon any land or land covered with water, owned by the company or secured to the public, and may erect stores and buildings for the sccommodation of the public—such pier or wharf, stores and buildings, to be open and free for the use of all vessels and persons whomsoever, and to be subject to such rates of dockage, wharfage and storage as shall be established by the company, under the sanction and approbation of the sessions.

Dockage, &c.

## CHAPTER 35.

### An Act to incorporate the Acadian Iron Mining Company.

(Passed the 31st day of March, A. D. 1852.)

#### SECTION

1. Name of company.
2. Capital limited.
3. Real property.

#### SECTION

4. Liability of members.
5. Bye-laws, &c. to be registered.

Be it enacted, by the lieutenant-governor, council and assembly, as follows:

Name of company.

1. Charles D. Archibald, Edward M. Sweetland, Edward M. Archibald, and such other persons as are now or may become shareholders in the company hereby established, their successors and assigns, shall be a body corporate, by the name of the "Acadian iron mining association," for the purpose of conducting the manufacture of iron in the county of Colchester.

Capital limited.

2. The capital stock of the company shall be twenty thousand pounds, sterling, but may be increased from time to time by the bye-laws, to any sum not exceeding forty thousand pounds, sterling, to be divided into shares of two thousand pounds, sterling, each.

Real property.

3. The company may hold, in fee simple or by leasehold tenure, real estate not exceeding in quantity ten thousand acres; but the company shall not go into operation until the sum of five thousand pounds, sterling, shall be paid in on account of such company.

Liability of members.

4. No member of the corporation shall be liable for the debts of the company, in his person or separate estate, for a greater amount, in the whole, than double the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account of such stock—unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company.

Bye-laws, &c. to be registered.

5. The bye-laws and list of shareholders shall be registered in the office of registry of deeds for the county of Colchester.

## CHAPTER 36.

An Act to amend the Act for the incorporation of certain bodies connected with the Wesleyan Methodist Church.

(Passed the 31st day of March, A. D. 1852.)

SECTION 1. Trustees of chapels, &c. may increase their numbers.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

1. The trustees of any chapel or parsonage house, held or to be held for the use of the Wesleyan methodist church, and their successors, shall have authority from time to time, with the consent of the superintendent minister, to increase their number by the addition of such other suitable person or persons, as shall be deemed necessary for the due management of their respective trusts; and each person, so added, and his successors, shall have co-ordinate rights, privileges and duties with the other trustees—and where, in any case, such addition has been heretofore made to the original number of trustees, the appointment of such additional trustees and of their successors, is hereby confirmed from the time or times at which they were respectively appointed.

Trustees of chapels, &c. may increase their numbers.

## CHAPTER 37.

An Act to alter and amend the Act to incorporate the Union Marine Insurance Company, of Nova Scotia.

(Passed the 31st day of March, A. D. 1852.)

SECTION

1. Sections 18 and 19, act of incorporation, repealed. President and directors, how elected and when.

SECTION

2. Section 31 amended. Liability of president and directors.  
3. Section 32 amended. Dissolution of company, how effected.

Be it enacted, by the lieutenant-governor, council and assembly, as follows :

1. The eighteenth and nineteenth sections of the act first Victoria, chapter three, are repealed, and the following section is substituted in lieu thereof :

Sections 18 and 19 act of incorporation rep'd.

On the third Wednesday of January in each year, the president and directors of the company, for the then ensuing year, shall be elected by ballot in the following manner :—The shareholders shall first elect a president, who shall have the greatest number of votes given—and should the person elected decline to serve, the ballot shall go round again until the person having the greatest number of votes consent to serve: the shareholders shall next elect eight

President and directors, how elected and when.

directors for the then ensuing year, from the directors who have served for the preceding year, and shall then elect four other directors from the shareholders of the company, qualified to be so elected: provided, that the shareholders may, if they think proper, re-elect the outgoing president and directors.

Sec. 31 amended.

Liability of president and directors.

2. The thirty-first section of the same act is amended in this particular, namely:—that the liability by such section attaching to the president and directors, under the circumstances detailed therein, shall attach if the president and directors issue policies after one half of the original or increased capital of the company be at any time expended in the manner mentioned in that section.

Sec. 32 amended.

Dissolution of company, how effected.

3. The thirty-second section of the same act is amended in this particular, namely:—upon the vote of a majority of any general or special meeting of the company, called for the purpose, at which four hundred shares are represented, it shall be lawful for the proprietors, by a majority of votes by ballot, to dissolve the company.

## CHAPTER 38.

An Act to incorporate the Trustees of the Presbyterian Church at Lunenburg.

(Passed the 31st day of March, A. D. 1852.)

### SECTION

1. Trustees, how appointed.
2. Property vested in trustees.

### SECTION

3. Real estate, regulations respecting sale, &c. of.
4. Act, how to be construed.

Be it enacted, by the lieutenant-governor, council and assembly, as follows:

Trustees, how appointed.

1. The present elders and deacons of the presbyterian church at Lunenburg, namely:—Thomas Burns, George Greiser, Henry Weinacht, James Mosman, Thomas Oxner, Adam Hebb, George Zwicker, Jacob Zwicker, David Koch, John Burns and George Eisenhaur, and their respective successors in office, to be elected and chosen according to the rules of the church, are hereby declared the trustees of the church, and are hereby created a body corporate by the name of “the trustees of the presbyterian church at Lunenburg.

Property vested in trustees.

2. All those lots or parcels of land, situate in the town plot of Lunenburg, whereon the church is now erected, as the same are now occupied and used, with the church situate in Lunenburg, and as a parsonage house and grounds; and also, all other real estate in which the church or congregation thereof may be interested, are hereby vested in the trustees—saving, however, to all tenants and occupiers of the lots, pieces or parcels of land hereinbefore mentioned, or any part thereof, their present respective legal rights in and to the same.

3. The trustees, or any seven of them, may sell, mortgage or lease the real estate hereinbefore described, or the goods, chattels, monies or effects of the church, held by the trustees for the use of the church, in such manner, and for such purposes as by the congregation, by any rule or regulation, or by any resolution passed at a meeting of the congregation to be called and held in conformity with the rules in force for the government of the congregation, may be directed; but whenever any sale, mortgage or lease of the real estate in this section mentioned shall be intended to be proposed to any meeting of the congregation, thirty days public notice thereof shall be given in the church, on some sabbath day immediately after divine service—and no such sale, mortgage or lease shall be valid unless sanctioned by a majority of such meeting—and a declaration that such majority have given such sanction, entered on the minutes of the meeting, shall be presumptive evidence of the fact.

Real estate, regulations respecting sale, &c. of.

4. Nothing herein contained shall be construed to interfere with, alter or affect the rights of her majesty, or any body corporate or private individuals.

Act, how to be construed.

## CHAPTER 39.

### An Act to incorporate the Dartmouth Dry Dock Company.

(Passed the 8th day of April, A. D. 1852.)

#### SECTION

1. Name of company.
2. Capital. Shares, number to be held by individuals.
3. Purchase of lands. Appraisement.

#### SECTION

4. Supreme court to have jurisdiction: Second appraisement.
5. Award.
6. Ownership in lands. Possession.
7. Operation.

Be it enacted, by the governor, council and assembly, as follows:

1. Charles W. Fairbanks, James B. Oxley, Benjamin W. Salter, and their associates, are created a body corporate, by the name of "the Dartmouth dry dock company."

Name of company.

2. The capital of such company shall be twenty thousand pounds, to be divided into shares of ten pounds each, and the persons mentioned in this act, or any of them, may open a subscription book for shares to the company, and no person shall be entitled to subscribe for more than thirty shares, until thirty days shall have elapsed from the time of public notice being given, of the opening of such subscription book;—if after such public notice, the whole number of shares shall not be subscribed for, then any person may subscribe for such shares then unsubscribed for, notwithstanding such person may have before subscribed for more than thirty shares.

Capital.

Shares, number to be held by individuals.

3. Whenever, for the purpose of constructing a dry dock, marine railway, or other purposes of this act, the company shall

Purchase of lands.

find it necessary that any lands lying in the line or course thereof, or contiguous thereto, should be vested in the company, to enable them to make and beneficially use the contrivances necessary for the purposes of this act, the company, in case they cannot agree with the proprietors of such lands for the purchase or lease thereof, as may be required, may apply, in term time or vacation, to any two justices of the supreme court, by petition, stating the nature and situation of such lands, and the estate or interest they desire to acquire therein, and the proceedings had with respect to the same, and the names and abodes of the proprietors and tenants thereof, so far as they can be ascertained, and praying for the appointment of appraisers to value the property and estate and interest therein, required by the company, and praying also the transfer thereof to the company: whereupon, such justices shall appoint a time and place for considering the petition, with respect to each several lot of land referred to, and shall direct to be given to all parties interested in each particular lot, who may have their abode in this province, or, in case of their absence, then to the person entrusted with the care or management of such lots respectively, proper notices in writing, requiring them to attend before them in person or by attorney or agent, at some appointed time, and at such time shall require the company to nominate one appraiser, and the party interested in each lot referred to, to nominate two appraisers, and the judges shall name two other appraisers, and shall, by an order in writing, appoint the persons so nominated to be appraisers of the value or rent, as the case may be, of the several lots of land respectively referred to; and, in case the party interested in any lot of land so required by the company, shall fail to attend at the time and place appointed, or shall not name two appraisers, the judges shall name two persons to act on behalf of the party so failing to appear or to make such nomination—and the persons so named, shall, before they enter upon the duties of their appointment, severally subscribe an affidavit impartially to perform the duties required of them, which affidavit, with the petition, shall be filed in the office of the prothonotary of the supreme court at Halifax, and the appraisers, or a majority of them, shall make an appraisement of the fair value of the fee simple of each lot of land in the petition applied for, or of the annual rent or gross sum which ought to be paid for the lease thereof, and shall return their appraisement in writing touching such value or rent, under their hands or the hands of a majority of them, into the office of such prothonotary; whereupon, if the supreme court, in term time, or any two judges thereof, in vacation, shall be of opinion that such appraisement has been impartially made, and if no sufficient cause be shown against such appraisement, such court or judges shall confirm the same; and thereupon the company shall pay to the persons entitled to receive the same, the full amount of such appraisement, together with such costs and expenses as the court or judges shall deem reasonable to be paid by the company.

Appraisement.

4. The court or judges shall have, with respect to such appraisement and the proceedings relative thereto, and to the allowance of costs and taxation thereof to or against the parties, all necessary discretion and authority; and may, in the course of such proceedings, if they shall deem it necessary, examine witnesses, upon oath or otherwise, and may also, on good cause shown, set aside any such appraisement, and either direct the appraisers again to decide upon the value of such lands yearly or otherwise, or, if they shall deem it expedient, may nominate other appraisers, and make an order for their making a new appraisement of the same lots of land respectively; and the appraisers so nominated, shall be sworn, and the appraisement so by them or a majority of them made and returned in writing, when approved and confirmed by the court or judges, shall be final between the parties, and may be carried into effect accordingly.

Supreme court to have jurisdiction.

Second appraisement.

5. The award made on the second appraisement shall be conclusive.

Award.

6. Upon payment of the sum awarded and costs, for any lot of land referred to in any such petition, the company shall be the owners in fee simple, of such lot of land, with the appurtenances, if the valuation be for the purchase thereof, or otherwise the tenant thereof for such term as in their petition or the valuation, may be set out, as far as the ownership of such lot of land may have been correctly set forth in such petition; and thereupon, upon application of the company, the court or any two judges may, on proof made of such payment, by order, require the party in possession of or claiming title to any lot for which such payment has been made, to deliver up possession of the same to the company; and further, if need be, by any order, to empower the sheriff or his deputy to put the company by its officers or servants, into quiet possession of such lot of land; and likewise, by any order, to require any such persons so interested in any such lot of land, or in case of their absence from the province, then the person in charge thereof, to make, sign, seal, and execute all such conveyances as may be necessary for the purpose of conveying and assuring the same to the company, and in case any person shall not comply with such order, then, as the case may require, obedience to the same shall be enforced by the usual process, to compel the same to be issued by the court or judges.

Ownership in lands. Possession.

7. The company shall not go into operation until the sum of two thousand pounds shall be paid in on account of such company.

Operation.

## CHAPTER 40.

### An Act to incorporate the proprietors of the Lower Port La Tour Union Chapel Burial Ground.

(Passed the 8th day of April, A. D. 1852.)

## SECTION

1. Name of corporation.
2. Land to vest in proprietors. Real estate.

## SECTION

3. Assessment authorized.

Preamble.

Whereas, John Spinney and James Snow did, by deed convey to John Smith, Nathan Snow, Seth Reynolds, Josiah Snow, and Samuel Smith, a certain tract of land, in trust for certain persons in Port La Tour, in the township of Barrington, whose names are indorsed on such deed, to be by them used as a burial ground, and which land is now used as a burial ground, attached to the union chapel at Port La Tour.

And whereas, the parties beneficially interested under such deed, are desirous of having the management and control of such burying ground, and the surviving trustees have, by writing under their hands, consented to the surrender of their trust, and to the passage of an act for the incorporation of the proprietors.

Be it enacted, by the governor, council and assembly, as follows :

Name of corporation.

1. Josiah Snow, Seth Reynolds, Samuel Smith, Nathan Snow, and such other persons as now are or shall become proprietors in such burial ground, their successors and assigns, are created a body corporate by the name of "the proprietors of the Lower Port La Tour union chapel burial ground."

Land to vest in proprietors.

2. The lot of land in the hereinbefore recited deed mentioned, is vested in such corporation, but they shall not hold real estate, other than such lands, to a greater amount than five hundred pounds.

Real estate.

Assessment authorized.

3. The shareholders in the corporation, or the trustees or other proper officers appointed by the corporation for the purpose, may assess the different proprietors for all such sums as may be necessary for the enclosing, ornamenting, and due keeping in order of such burial ground, and such sums may be recovered in the name of the corporation.

## CHAPTER 41.

### An Act concerning the Saint Mary's College, at Halifax.

(Passed the 8th day of April, A. D. 1852.)

SECTION 1.—4 Victoria, cap. 39, made perpetual.

Be it enacted, by the governor, council and assembly, as follows :

1. The act of fourth Victoria, chapter thirty-nine, entitled, "An act for incorporating the trustees of the Saint Mary's college, at Halifax," is hereby made perpetual.

4 Vic. cap. 39,  
made perpetual

## CHAPTER 42.

## An Act to incorporate the Cornwallis Steam Saw Mill and Manufacturing Company.

(Passed the 8th day of April, A. D., 1852.)

## SECTION

1. Name of company.
2. Capital. Shares. Real estate.

## SECTION

3. Liability of members.
4. When to commence operation.

Be it enacted, by the governor, council and assembly, as follows:

1. Nathan Tupper, John M. Caldwell, James E. Beckwith, David Chipman, William Roberson, junior, and such other persons as are now or shall become proprietors of shares in the corporation hereby established, their successors and assigns, are hereby created a body corporate by the name of "the Cornwallis steam saw mill and manufacturing company."

2. The capital of the company shall be ten thousand pounds, to be divided into shares of ten pounds each; and the company shall not at any time hold real estate of greater value than five thousand pounds.

3. No member of the corporation shall be liable for the debts of the company in his person or separate estate, for a greater amount in the whole, than double the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account thereof, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company.

4. The company shall not go into operation until the sum of two hundred and fifty pounds is actually paid in on account of such company.

CHAPTER 43. *Unusually Acts of 1852*

## An Act to incorporate the Trustees of Burns' Free Church, in the County of Sydney.

(Passed the 8th day of April, A. D. 1852.)

## SECTION

1. Trustees incorporated.
2. Powers of trustees.

## SECTION

3. Amount of estate limited.

Be it enacted, by the governor, council and assembly, as follows:

1. The trustees of Burns' church, Copper District, Middle Settlement, in the county of Sydney, in connexion with the free church of Scotland, appointed at a meeting on the fifteenth day

of February, in the year one thousand eight hundred and fifty-two, namely: John Sinclair, James Castello, Alexander Sinclair, William Forbes, Ebenezer Henderson, and their successors in office, to be duly appointed, are hereby created a body corporate by the name of "the trustees of Burns' free church, in the county of Sydney."

Powers of trustees.

2. The trustees shall have power to purchase, take and hold real and personal estate for the use of the church, and the real and personal estate now belonging to the church, is hereby vested in such trustees.

Amount of estate limited.

3. The whole of the real estate to be held under this act shall not exceed in value the sum of two thousand pounds.

## CHAPTER 44.

An Act to incorporate the Kerosene Gas Light Company, at Windsor.

(Passed the 31st day of March, A. D. 1852.)

### SECTION

1. Name of company.
2. Capital—shares.
3. Officers, when and how appointed.
4. Laying of pipes, &c. authorized.

### SECTION

5. Opening streets.
6. Mode of voting.
7. Liability of members.
8. Real Estate.

Be it enacted, by the lieutenant-governor, council and assembly, as follows:

Name of company.

1. Benjamin Dewolf, Theodore Seth Harding, and such other persons as shall become proprietors of shares in the corporation hereby established, their successors and assigns, are hereby created a body corporate by the name of "the Windsor kerosene gas light company."

Capital—shares

2. The original capital or joint stock of the company shall be five thousand pounds, to be divided into shares of ten pounds each.

Officers—when and how appointed.

3. When the company shall be formed and shares to the amount of four hundred pounds taken up, they may, by a majority of votes at any meeting, appoint a president, directors and officers of the company.

Laying of pipes &c. authorized.

4. The company, when organised, may supply the inhabitants of the township of Windsor with gas light, and for that purpose, at a proper and convenient distance below the surface of the streets and highways, may cause pipes and tubes to be laid and placed as may be proper and necessary, and may place and erect, in convenient and fitting situations, lamp posts and burners and supports for the same, as may be necessary for the proper lighting of such streets or parts of streets as may be lighted.

Opening streets

5. For the purposes aforesaid, after ten days notice given to the commissioners of streets or surveyors of highways, the company may break open the roads, streets or highways in such

township, whenever it may be necessary to do so, and may keep such roads, streets or highways open for such reasonable time as may be necessary; but the company shall faithfully and carefully close up, repair and make good such roads streets or highways so opened, at their own cost and charges, or otherwise shall be liable to defray and make good all expenses to be incurred by the commissioners of streets or surveyors of highways in closing up, repairing or making good any road, street or highway so opened, which expense shall be recovered by the commissioners of streets or surveyors of highways against the company, as a private debt for work and labor.

6. The mode of voting by the directors at any meeting of the board, shall be regulated by the bye-laws of the company. Mode of voting.

7. No member of the corporation shall be liable for the debts of the company, in his person or separate estate, for a greater amount, in the whole, than double the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company. Liability of members.

8. The company shall not, at any one time, hold real estate beyond the value of two thousand pounds. Real estate.

## CHAPTER 45.

An Act to incorporate the Trustees of the Free Church Congregations of Catalogne, Mire, Cow Bay, and Forks, in the County of Cape Breton.

(Passed the 8th day of April, A. D. 1852.)

### SECTION

1. Trustees at Catalogne, at Mire, at Cow Bay and at Forks, incorporated. Real and personal estate.
2. Congregations. Ministers, how appointed.

### SECTION

3. Meetings.
4. Meetings of trustees. Quorum.
5. Vacancies.

Be it enacted, by the governor, council and assembly, as follows:

1. The trustees appointed by the congregation at Catalogne, in connexion with the Free Church of Scotland, at a meeting held on the twenty-third day of July, in the year one thousand eight hundred and forty-nine, namely: John McIntyre, Angus McDonald, Mire Gut, Angus McDonald, of Catalogne, and Allan McDonald, of Catalogne; Trustees at Catalogne,

The trustees appointed by the congregation at Mire, in connexion with such Free Church, at a meeting held on the twenty-fourth day of July, in the year one thousand eight hundred and forty-nine, namely: Donald McNeil, John Ferguson, North side — Roderick Morrison and Donald Lamont, South side Mire River; At Mire,

At Cow Bay,

The trustees appointed by the congregation at Cow Bay district, in connexion with such free church, at a meeting held on the seventh day of August, in the year one thousand eight hundred and forty-nine, namely: Angus McAulay, Donald Ross, and Ewen McDonald;

And at Forks, incorporated.

The Trustees appointed by the congregation at the Forks district, in connexion with such free church, at a meeting held on the twenty-eighth day of July, in the year one thousand eight hundred and forty-nine, namely: Roderick McKinnon and Archibald Ferguson;

Real and personal estate.

And their successors in office, shall be respectively, for their several districts, a body corporate by the name of "the trustees of the Free Church congregations of Catalogne, Mire, Cow Bay, and Forks, respectively in the county of Cape Breton; and the real and personal estate now belonging to their respective congregations shall be vested in them, as trustees under this act.

Congregations.

2. The persons who subscribed, or caused their names to be subscribed, at those several meetings respectively, and such as may from time to time subscribe or cause their names to be subscribed, are hereby declared to be the congregations of Catalogne, Mire, Cow Bay, and Forks, respectively, according to their respective congregational books, under the ministerial charge of the Reverend Hugh McLeod and his successors in office, to be elected according to the rules of the Free Church of Scotland for the time being.

Ministers—how appointed.

Meetings.

3. The several congregations may hold meetings as often as convenient and necessary, provided due notice of such meetings be given from the pulpit, at least four days previously, and the object of the meeting stated at the same time—the business of such meetings to be duly entered in a book kept for the purpose, and signed by the chairman.

Meetings of trustees. Quorum.

4. The trustees of the several congregations—three to be a quorum—may meet when necessary, provided public notice be given four days previously, or by a written notice to each trustee a week previously, and their proceedings shall be engrossed in a book and signed by the chairman.

Vacancies.

5. In the event of a vacancy, by the death, removal or resignation of a trustee, the vacancy to be filled up by the majority of the respective congregations present, at a meeting convened for the purpose.

## CHAPTER 46.

## An Act to incorporate the Mutual Fishing and Trading Company of Pugwash.

(Passed the 8th day of April, 1852.)

## SECTION

1. Name of company.
2. Real estate.
3. Capital. Shares. When to go into operation.

## SECTION

4. Liability of members.
5. Registry of bye-laws, &c.

Be it enacted, by the governor, council and assembly, as follows:

1. Charles B. DeWolfe, Levi Borden, J. W. Low, William Cooper, Joseph Jones, George Dimock, Timothy Copp, James Ferguson, and such other persons as are or may become shareholders in the company hereby established, their successors and assigns, shall be a body corporate by the name of "the mutual fishing and trading company of Pugwash," for the purpose of prosecuting the fisheries from the port of Pugwash, and for trading purposes connected therewith. Name of company.

2. The company may hold real estate not exceeding the value of two thousand pounds. Real estate.

3. The capital stock of the company shall be six hundred pounds, but may be increased from time to time by the bye-laws to any sum not exceeding two thousand pounds, to be divided into shares of twenty pounds each, but the company shall not go into operation until twenty-five shares shall be subscribed and the amount thereof actually paid in. Capital—shares  
When to go into operation.

4. No member of the company shall be liable, in his person or separate estate for a greater amount, in the whole, than double the amount of the stock held by him, deducting the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company. Liability of members.

5. The bye-laws and list of shareholders shall be registered in the office of the registry of deeds for the county of Cumberland. Registry of bye-laws, &c.

## CHAPTER 47.

An Act to incorporate the Trustees of the Baptist Meeting House at Chester Basin, and for enabling them to finish and enlarge the same.

(Passed the 8th day of April, A. D. 1852.)

## SECTION

1. Committee to be trustees. Real estate.
2. Vested in trustees.

## SECTION

3. How leased, &c.
4. Private rights.
5. Funds—application of, &c. Pews.

Be it enacted, by the governor, council and assembly, as follows :

1. The present committee for managing the affairs of the Baptist meeting house at Chester Basin, in the County of Lunenburg, that is to say—Daniel Dimock, Casper Eisenhaur, John Corkum, George Eisenhaur, Paulus Rafuse, and their successors in office to be elected according to the rules of the church, are created a body corporate by the name of "The trustees of the Baptist meeting house at Chester Basin," and may purchase take and hold real and personal estate, and improve and use the same for the benefit of such meeting house, but they shall not hold, at any one time, real estate to a greater amount than two thousand pounds.

2. All the real estate in which the meeting house or congregation may be interested, is hereby vested in the trustees, saving to all occupiers of such real estate their present legal rights.

3. The trustees may sell, mortgage, or lease the real estate in which such meeting house may be interested, but whenever any sale, mortgage, or lease of such real estate shall be intended to be proposed to the congregation, thirty days public notice thereof shall be given in the meeting house on some Sabbath day, immediately after divine service, and no such sale, mortgage, or lease, shall be valid unless sanctioned by a majority of those of such congregation then present, and a declaration that such majority have given such sanction, entered on the minutes of the meeting, shall be presumptive evidence of the fact.

4. Nothing herein contained shall affect private rights otherwise than herein expressed.

5. The funds arising from the sale, mortgaging or leasing of the real estate, shall be applied towards erecting, enlarging, finishing and ornamenting pews in the meeting house ; and if the sale of the real estate shall not produce a sum sufficient to complete the same, the Trustees shall proceed to sell the pews, subject to an annual rent to be fixed by the trustees, and shall apply the rents from time to time towards paying such deficiency, and for the payment of the minister's salary ; but no sale of the pews for such purposes shall take place until notice of a meeting for such intended sale shall have been previously given during the time of divine service at such meeting house on three several Sundays, and unless three fifths of the congregation then assembled shall consent to such sale taking place.

Committee to be trustees.

Real estate.

Vested in trustees.

How leased, &c.

Private rights.

Funds—application of, &c.

Pews.

**PERSONAL ACTS.**

**CHAPTER 48.****An Act to Naturalize Charles T. Lee, Sherburne Lowell and John Kayszer.**

(Passed the 8th day of April, A. D. 1852.)

**SECTION 1.—Oath of allegiance.**

Be it enacted, by the governor, council and assembly as follows:

1. Charles T. Lee, at present of Halifax, yeoman, Sherburne Lowell, of Argyle, in the county of Yarmouth, painter and glazier, and John Kayszer of Tracadie, in the county of Sydney, clerk, as soon as they shall respectively take and subscribe the oath of allegiance to her majesty queen Victoria and her successors, in manner prescribed by the first section of chapter thirty-two of the revised statutes, shall, within the limits of this province, severally become naturalized subjects of her majesty, entitled to all the rights of such subjects, as fully as the same can be conferred under and by virtue of the act of the imperial parliament, passed in the tenth and eleventh years of her majesty's reign, entitled, "an act for the naturalization of aliens."

Oath of allegiance.

**CHAPTER 49.****An Act to Naturalize Daniel N. Ellenger.**

(Passed the 8th day of April, A. D. 1852.)

**SECTION 1.—Oath of allegiance.**

Be it enacted, by the governor, council, and assembly, as follows:

1. Daniel Nicolay Ellenger, at present of Halifax, yeoman, as soon as he shall take and subscribe the oath of allegiance to her majesty queen Victoria and her successors, in manner prescribed by chapter thirty-two of the revised statutes, shall, within the limits of this Province, become a naturalized subject of her majesty, entitled to all the rights of such subjects as fully as the same can be conferred under or by virtue of the act of the imperial parliament, passed in the tenth and eleventh years of her majesty's reign, entitled, "an act for the naturalization of aliens." Oath of allegiance.